This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

RADCLIFFE COLLEGE LIBRARY
Schlesinger Library
WOMAN'S ARCHIVES
Gift of
MARION HATHWAY PARKER '16

WOMAN IN INDUSTRY

PRESENTATION COPY

WOMAN IN INDUSTRY

FROM SEVEN POINTS OF VIEW

BY

GERTRUDE M. TUCKWELL
CONSTANCE SMITH MARY R. MACARTHUR
MAY TENNANT NETTIE ADLER
ADELAIDE M. ANDERSON
CLEMENTINA BLACK

WITH A PREFACE BY

D. J. SHACKLETON, M.P.

LONDON
DUCKWORTH AND CO.
HENRIETTA ST. COVENT GARDEN
1908

PRESERVATION COPY

All rights reserved

331.40941
W86

PREFATORY NOTE

In response to the request of the private audience present to hear the lectures upon which these articles are based, they have been expanded into a more permanent form. They are for the most part popular in character, being intended for the wide public interested in the general question of woman's position in industry rather than for students anxious to enforce the law. The latter are referred to "The Worker's Handbook," by Gertrude Tuckwell and Constance Smith (Duckworth and Co.).

It should be added that no general editorship of the volume has been exercised, and that each writer is responsible for her own opinions only.

CONTENTS

		PAGE
	PREFACE. BY D. J. SHACKLETON, M.P. .	x
I.	THE REGULATION OF WOMEN'S WORK. BY GERTRUDE M. TUCKWELL	1
II.	THE MINIMUM WAGE. BY CONSTANCE SMITH	25
III.	TRADE UNIONISM. BY MARY R. MACARTHUR.	61
IV.	INFANT MORTALITY. BY MAY TENNANT . .	85
V.	CHILD EMPLOYMENT AND JUVENILE DELINQUENCY. BY NETTIE ADLER . . .	121
VI.	FACTORY AND WORKSHOP LAW. BY ADELAIDE M. ANDERSON, H.M. Principal Lady Inspector of Factories	143
VII.	LEGISLATIVE PROPOSALS. BY CLEMENTINA BLACK	183
	INDEX	207

PREFACE

BY

D. J. SHACKLETON, M.P.

PREFACE

I GLADLY write a few lines by way of preface to a volume which I think will be of special value to those who are engaged in the work of attempting to elevate the position of the working woman. The contributors have not only approached their subject with sympathy; they have brought to it knowledge and experience, and a careful study of the means by which improvement in the material and social conditions—above all, in the conditions of home life—among the working classes may be brought about.

They recognise that there are two main lines upon which that improvement must run.

Trade Union organisation is open to all, though in some cases it presents more difficulties than in others. Combination has enabled the woman worker in many trades to

demand a living wage for the the work done. From the great textile industries, and particularly from the cotton weaving branch, we have learned how much is possible to self-help collectively practised. In many other industries, through the organising efforts of the Women's Trade Union League, great progress has been made. Of this progress the wonderful change for the better in the position of the silk-workers of Leek may be cited as an instance.

The short-sighted policy, pursued by some men's unions, of ignoring the women workers in their industry, is happily fast dying away. Men now recognise that it is far better, in their own interest, to have the women who are their fellow workers well organised, than to leave them as a prey to unscrupulous employers and thus reduce the standard of living of the class to which they belong. The present increased interest on the part of women in all that tends to raise their position as workers is very encouraging; and this is especially true as regards the sense of the need for organisation.

The second line upon which improvement must take place is that of educating public opinion.

The Trade Union world nas latterly changed altogether its attitude towards the workers in unorganised trades. Whereas in the past Trade Unionists were content to pass, at conferences and congresses, resolutions of sympathy with the Sweated, and then to wait for another conference before renewing their sympathetic expressions, they are to-day following up such resolutions by definite action in Parliament, and generally treating these matters as great social and political questions involving interests even wider than those of Trade Unionism. While I hold that Parliamentary action can never render Trade Union effort unnecessary, it yet seems to me a crime to force by a strike and its consequent sufferings, what can and ought to be obtained by public opinion operating through the legislature of the country. For this reason, I consider that the writers of these essays are rendering service of the highest kind to the cause of the working woman.

The questions chosen cover a wide field. Their treatment in these pages, each of them by a writer who has given special attention to her subject, will, I cannot doubt. help to place

on the Statute book, laws and regulations which will materially reduce, if they do not altogether abolish, many of the evil conditions under which our women folk are at present compelled to labour.

These questions are of more than individual or trade importance, they are national and international in character. As one who knows the important work of the writers in forwarding the solution of such problems, I earnestly commend their papers to the careful consideration of a sympathetic public.

D. J. SHACKLETON.

I

THE REGULATION OF WOMEN'S WORK

BY

GERTRUDE M. TUCKWELL

I

THE REGULATION OF WOMEN'S WORK

THE recent agitation on sweating, and the public discussion to which it has led, have shown a strong tendency on the part of members of the public who have not thought or read much about the question to treat it as an isolated phenomenon arising when the labour of women and children is carried on in the "home." Of course, it is quite natural that this should be so. People who are not in the habit of regarding social problems as a whole, look upon the stories of underpaid labour which have recently been rife as evidence of a local sore which can be treated locally. On the other hand, those who have more thoroughly studied our social evils point out that their source is deep-seated, and that they cannot be treated as isolated

phenomena. Take, for example, the definition of sweating which was bequeathed to us by Lord Dunraven's Committee of the House of Lords, which considered this question nineteen years ago. This definition, that bad conditions, long hours of work and low rate of pay constitute sweating, is accepted, yet let us apply this definition to women's work and see how far it is possible to confine it to the limited class of women out-workers with which it is popularly identified.

It is true, of course, that in every class of work very special skill and training can command a price and hold a favoured position in the market. It is with the average labour which is competing for employment that we have to deal. Take, for example, such a profession as that of a clerk into which numbers of women are constantly entering. The girl clerk working for 10*s.* a week in a crowded basement office, late into the night, is an instance of the sweated worker, yet this profession never figures in the popular imagination as an instance of sweating—the gentility of the occupation appears to lift it out of the category and to form its reward.

Among the aristocracy of labour the shop assistants are counted, yet a study of their conditions leaves on one's mind the impression that here, if anywhere, there is sweating. Board and lodging is often provided, under the hated living-in system, by the employer, and the inadequate remuneration which is not paid in kind is often heavily taxed to supplement the poor food. Healthy country girls absorbed into this work break down under the strain; varicose veins and internal ailments arise from the constant standing and the confined life. The long hours, which begin in the dressing and preparation of the shop, and end only when everything is cleared again for the night, may leave an hour or so for evening recreation. Sometimes the girls walk out into the street; often, too exhausted for any exercise, they climb up to the bare room or tiny cubicle which may constitute their sleeping apartment, to lie exhausted on their poor beds. Meal times even are not exempt from interruption: the bell ringing when a customer enters may at any moment call the assistant back into the shop. The poor wage of which I have spoken is further lowered by fines and deductions, and

the officials of the Shop Assistants Union furnish lists of these, containing sometimes as many as a hundred fines, which vary in amount from 1*d.* to 5*s.*

But iniquitous as are the conditions of the shop assistants, in many places virtually unprotected by law, the position even of the legally protected employee of the factory or workshop is sometimes pitiable too. "Complaints" of breaches of the law reach the office of every Trade Union or society interested in industrial matters. Sometimes these are anonymous, the worker fearing that the disclosure of her identity may in some way be brought to the employer's ears. But not the annals of voluntary societies only—the records of the Home Office yield each year in the Chief Inspector's annual Report lists of these "Complaints" which, investigated and dealt with, form probably but a small proportion of the actual amount of suffering which goes on. Labour becomes apathetic through suffering, and many of those on whom our present industrial conditions press hardest are silent, and so, even when regulation is comparatively complete, laxity of administration may render it inoperative.

The "complaints" of which I have spoken tell of rooms in the depth of winter warmed only by the presence of the workers, and the gas jets lighted on dark days in order to enable them to continue their work: of women working day and night to finish special orders, concealed from the factory inspector in the nursery or living rooms of the proprietor; of wages averaging perhaps 10*s.* a week and lowered each week by fines and deductions. The budget of some workers' earnings came to us the other day in which a wage of 6*s.* 8*d.* had been reduced to 1*s.* 8*d.* by the employer's charges, where fines and deductions had lowered to 2*s.* 5*d.* the earnings of 4*s.* 5*d.* which constituted the worker's entire weekly wage. On another page 3*s.* 8*d.* remained of the week's wage of 8*s.* 8*d.*; 2*s.* 6*d.* out of a wage of 4*s.* 7*d.* It is idle to contend that factory and workshop, or that the upper grades of women's labour, are free from the curse of sweating.

The popular idea of the limitation of sweating to the home has arisen because there it shows perhaps its worst and most salient features. After all, for the worker in factory or workshop there exists the protection of the

law which can be claimed, and the administration of which is on the whole probably growing more and more efficient, but for the out-worker, as for the shop assistant, there is, comparatively speaking, no legal protection; and the employer who gives out work escapes the responsibility incurred when he employs the workers on his own premises. The condition of the home worker at its worst has been described so often that I hesitate to dwell on it here. We have heard of the one room dedicated to all the purposes of life—workshop, sleeping room, living room, kitchen, children's nursery, hospital and, as the Factory Inspectors tell us, often mortuary as well. In this one room all the members of the family work—the children on their return from school working through meal hours, "play-hours" and the hours which should be given to sleeping; the sick man and the old, the idiot and the unfit, all pressed into the service to earn the means for bare subsistence, on work, paid, perhaps, at the rate of 1*d.* or 1½*d.* an hour. For the worker in factory and workshop, the work may be left when the door of the workplace closes, and the hours given to home be uninvaded by the weekly toil, but the

home worker is never exempt; work piled on the table, scattered on the floor, furnishes the otherwise bare room, and, sleeping or waking, there is from it no escape.

I will analyse the conditions under which work in the home is carried on, because it is typical in the highest degree of the chaos which attends unregulated labour. Differing rates of pay prevail for the same work, and this difference is sometimes considerable. In one district 4*s.* 9*d.* was being received for work given out from one factory, which from another was paid for at the rate of 3*s.* 8*d.* In another instance a woman was receiving 4*s.* 6*d.* per dozen for blouses of an elaborate description, while in the same district a city firm was paying for blouses of better material, but far less elaborate work 8*s.* 6*d.* per dozen. Here and there the intervention of the middleman may explain the lowered rate, but this is by no means always so. The ignorance of the worker as to what other workers receive, and of the employer as to what other employers pay, is so considerable that the difference of pay can in part be thus explained.

The difference between the selling price of

goods and the price received by workers for them has often been instanced as a cause of sweating, and allowing for all the expenses both of the wholesale employer and of the shop in which the goods are ultimately offered for sale, there probably are many instances in which the profit is excessive, but in conditions as chaotic as those under which home work is carried on, it is difficult to apportion blame.

One of the great evils of these chaotic conditions is that dying trades are artificially kept alive which in a healthy state of industry would have been allowed to disappear. The children who are reared to no other trade than match-box making in their homes are helping to maintain an industry which should not exist. Their struggle is to a great extent accounted for by the fact that they are competing with the same articles manufactured by machinery, with the consequence that such a trade must eventually "go," and those who have been brought up with no other equipment for a struggle in which efficiency is essential, must further complicate our problems by adding to the ranks of the unemployable and unemployed.

I have said that it is difficult to apportion

blame. Who shall blame the worker in a sweated industry, too oppressed with the struggle to maintain existence for herself and her children to see beyond the immediate needs of the day, pressing in her battle for work the neighbour who is slightly better paid. It is difficult to blame the employer. His ignorance of the conditions under which his competitor is working is often complete. He may be anxious to pay a living wage, but his terror of being undersold is great and an interview with an employer in such an industry will frequently lead to the statement of his willingness to pay a better rate, if only his competitors can be induced to do the same.

I have been attacked sometimes for laying too much stress on wages, and I have been told "the life is more than meat, and the body than raiment," and that it is wrong to attach so much importance to mere material gains. The fact remains that wages mean the entire purchasing power of the worker; they mean room for life and leisure, and for any possibility of "possessing the citadel of her own soul." How on a wage which in thousands of cases averages less than 10*s.* per week is true life possible?

One point more to illustrate the chaos of unregulated labour! The wage of sweated labour sinks to a level at which even existence becomes sometimes impossible, yet the worker contrives to keep out of the union workhouse and does not actually starve to death. The explanation may be found in the inquiries recently made into the extent to which income from such work is supplemented from other sources. In some cases the poor rate ekes out the pittance of the worst paid work; voluntary agencies of church and chapel help to swell the pitiful remuneration; the neighbours slightly better off, with the wonderful generosity which characterises the poor, give of their little. So the worst-paid labour is assisted by a rate-in-aid of wages, and this vicious system of underpayment is kept alive and fostered by precarious charities.

I began by saying that when some industrial evil suddenly becomes rampant and forces itself upon the attention of the public, it is looked upon as a mischief to be separately dealt with. Now, though it is true that different legislative measures meet different evils, yet, to be successful, these measures must be coherent, must

be part of a general scheme. They deal with social evils which, however spasmodic their appearance may be, are really deep-seated and part of a whole. Sweating, as it has been defined, is due to the absence of regulation. With an industrial system which, both as far as conditions, hours, and wages are concerned, is one in which the employer will, broadly speaking, always give the least the worker will take, while the worker, on the other hand, struggles to get the most he can —given the possession of capital, plant, and means of production by the employer—the worker, unaided, must necessarily be further and further depressed in the industrial struggle.

We are a slowly moving and conservative nation, and the remedies which we apply are always far behind social developments. It was the national bewilderment in face of industrial changes, some fifty years ago, which popularised the school of *laissez faire*, when the segregation of great masses of workers in factories and workshops revolutionised the old relations between employers and employed. The suffering which resulted from this doctrine of leaving everything alone was overwhelming,

and the whole nation tardily realised the necessity, under new conditions of labour, for a new system. Hence, the present system of regulation, by which play is given to the regulations of the trade, so that by combination and self-protection workers may raise their position into one in which something in the nature of equal bargaining with their employers is possible—while in cases where the trade is powerless the State steps in to produce those conditions which shall safeguard its weaker citizens. So arose the great code of factory and workshop laws, of truck and trade disputes, of workers' compensation and employers' liability, the laws for the protection of children and the safeguarding of their employment. It cannot be said that the principle of these laws is new. Our Elizabethan Poor Law was an affirmation that no one in this country should be allowed to starve. The English laws of the Middle Ages dealt with workers' wages, and went further than at the moment we do now in regard to safeguarding these wages by the interference of the King or of Parliament. Sweating survives where this protection is incomplete, where the trade is not strong enough to organise and

protect its wages, and where the State, as yet, has not safeguarded conditions of work. It is true that there are still among the public survivors of the old *laissez faire* school, who cling to the doctrine of the freedom of the individual, and who quote cut-and-dried statements as to iron laws of wages, but these are comparatively few. The slowness of our progress is due rather to the apathy on these questions of the large body of the public who look upon them as matters for politicians and not as touching their own immediate home life, while, as far as the old political economy is concerned, most of us recognise that in the past a false system has been upheld by a false political economy; false because, studied apart from other laws of society, "it becomes," as a great political economist has said, "a tissue of pretended laws of industry, by which selfishness glosses over to itself the frightful consequences of its own passions."

Let us turn to Lancashire, happily represented by the great labour leader who writes our preface, to study an instance of the success of regulation as applied to present industrial conditions. In the textile trade of Lancashire,

it is notorious that factory legislation appears in its completest form. From Lancashire, indeed, factory legislation emanated, and it is difficult to tell which came first, the organisation or the laws which that organisation obtained. In the textile trades of Lancashire the hours of labour are more limited than elsewhere; no overtime, properly so-called, exists. In Lancashire the great convulsions of industry caused by the withholding of their labour by the workers or the suspension of employment by the masters—the hideous weapons of the strike or the lock-out—are rarely used. Here the organisation of women, over 96,000 strong, forming a larger percentage than that of men in the trade, elects officers skilled in trade knowledge, able to bargain with the representatives of the employers, to represent grievances, and with as little friction as possible, to achieve their removal. Here, owing to the power of the organisation, the workers, have been able to secure a living wage. I believe that at the present moment the average wage paid to Lancashire women workers is above the 15*s.* at which it recently stood. Any one who has watched the develop-

ment of the cotton trade can safely assert that the position which the workers have achieved, and by which they have been able to secure protection for their conditions and a better reward for their labour, has improved rather than detrimentally affected the position of the Lancashire cotton trade. It is clear that this must be so. There are those employers who assert that we have not yet arrived at the limitation of hours which enables the worker to work at his highest efficiency, and it needs no labouring the point for us to realise that the shortened hours of labour, with full opportunities for recreation and for leisure, and with the means with which to produce them, must create better human beings, and therefore more efficient workmen and more satisfactory citizens.

But to return to the gaps in our legislative armour. The power of the trade union, to which, as I have said, has been so far relegated the control of wages, is comparatively small among women. Out of about 150,000 organised women, there are few whose organisations are sufficiently complete or of sufficiently long standing to enable them to achieve such results as Lancashire has achieved, while there are

thousands depressed and apathetic, in whom we can never hope to find the initiative and intelligence needed to grasp and wield the weapons of trade unionism. Such workers form a danger to the State, which must suffer while our industrial structure rests on a basis of starving, struggling women and children. The principle on which our developing industrial legislation is based is one of State intervention where evil to the State is likely to arise. It is for this reason that the plea for Wages Boards, which is dealt with in a following essay, is put forward; the logical further development of our legislation is one by which machinery for the regulation of wages shall be created, where the trade or class of workers are incapable themselves of dealing with the question. These Wages Boards would reproduce the best features of the voluntary boards of successful trade organisations, since on them would be represented an equal number of employers and employed, who, under an independent chairman, considering the different payments for the same work obtaining in factory and home, would settle a minimum for each class of work based on the conditions of the

market and the varying prices already paid. Below this minimum the rates of pay could not fall. The probable result of such machinery would be that the labour organised and raised by this means would itself become capable of organisation. So essential in the present industrial conditions is trade organisation, with its upward pressure, to the State's welfare, that the tendency of some Australasian legislation and also of certain French legislation is in the direction of creating trade unions for legislative purposes if they do not already exist.

But it is not possible to leave the question of regulation here. The gaps in our labour legislation are many, but on the whole they are now apparent, and the trades and classes of trades which have been regulated are in comparative order, and where administration is effective, form an object-lesson of the successful safeguarding of industrial interests. Sweating has therefore been localised, and it prevails wherever regulation falls short. The motives for the omissions are sometimes difficult to find. The chaotic conditions of such trades as those of shop assistants, waitresses and barmaids, where regulations which would make for the

worker's efficiency and comfort are non-existent, can probably be explained by scruples as to interfering with the convenience of the public. The suffering from long hours and from bad conditions of the factory and workshop, to which the worker is sometimes subject, is due to a great extent to defective administration of the law, although the laws in these cases are yet far from perfect.

The position of the outworker is probably to be accounted for partly by an old-fashioned dislike of interference with the home, but more largely by the fact that the new industrial legislation arose out of industrial developments which were characterised by the massing of workers in great numbers, so that the factory or workshop was first dealt with while the outworkers escaped. On the whole our progressive legislation has followed, as Mr. and Mrs. Sidney Webb point out, the line of least resistance. Its logical development is comparatively easy. But, not only have the gaps in the network of our protective laws to be filled up; those laws themselves have in a great many instances to be strengthened and to be carried further. Under conditions where

efficiency is the only guarantee of success, our labour market is still crowded with little children whose place is at school or at play, with married women whose labour during pregnancy and immediately after child-birth goes to swell the terrible rate of infant mortality which faces us at the present day. In this great arena where the workers trample each other down, the cripple and the inefficient, the old, who in any other class would have earned an honoured rest, are struggling with the man whose earnings under proper conditions should be sufficient to support himself and his family, and as machinery develops there is a dangerous tendency for the employer to substitute cheaper and less skilled labour for the more highly paid and competent labour of the adult. Our laws must develop to keep pace with this tendency. The age at which it is possible for children to be employed must be raised to a point at which they can start in life properly equipped for their industrial struggle; the hours of labour shortened so that the worker may work during the hours only of the greatest efficiency, the rest of his time being set free for rest. The married woman must no longer be driven to leave her children

to hired care, but enabled during their youth to care for them in the home.

And here we must bear in mind that though it is essential that the State should intervene, and that in the interests of its future citizens the mother should be restored to care for them, yet to deprive her of her power of earning without compensation would be an injustice, and thus some system of insurance must go hand in hand with the measures tending in this direction.

There are those who will point out the dangers of the perfection and the completion of the safe-guarding of industry if it is national alone, and who will urge that by the perfection of our own State regulations we are handicapping ourselves in our competition with less-well-regulated nations who will be able to undersell us internationally, just as in the nation itself the more generous employer fears to be undersold by a competitor who sweats. For my own part it has always seemed to me clear that in the long run neither the individual nor the national sweater can succeed, that in the long run the efficiency of the individual or the nation must tell and that, as Mr. Cadbury has said, "In good conditions there is always 5 per cent."

But it is clear that we are not to be left to prove the truth of this axiom, for the development of international understanding and international treaty is one of the most remarkable and interesting things in the history of modern industry, and the present danger for Great Britain is that, in this movement, she shall be found in the rear rather than in the van.

But while I feel, in common with all who would further our industrial progress, that in the modern State the completest and most perfect legislation is essential, I am not any more than others shutting out from myself the prospect of a future which may entirely revolutionise the present condition of things. It has been pronounced impossible to prophesy more than two years ahead in matters of politics, and the same may be said of industrial matters. No movement is permanent. Every movement, it has been truly said, bears in its bosom the seeds of decay. But a hope for the future, in which co-operation will replace competition, in which the present distribution of wealth, with all its hideous inequalities, shall have passed away, is an inspiration, not a deterrent, in our efforts to deal with the present industrial condition.

II

THE MINIMUM WAGE

BY

CONSTANCE SMITH

II

THE MINIMUM WAGE

INDUSTRIAL legislation in Great Britain has, from its inception, advanced along the line of least resistance. Such a method of progress was naturally adopted by successive legislatures reflecting more or less faithfully a national temperament conservative in its instincts, and prone to look with suspicion upon schemes and statutes having any taint of logic. It is not enough to show an Englishman that, under certain conditions, certain dangers and abuses are bound to arise; you must exhibit the abuses rampant and the dangers actively at work before he will take any step to repress the one and remove the other. Nor will he consent to make a general survey of the field of industry and legislate *en bloc* for its needs: he requires to be convinced of the necessity of action in respect

of each industry singly; any other course would savour too much of logical procedure, dear indeed to Frenchmen, but held in pious abhorrence of your true-born Briton. The process is doubtless sure, but it is necessarily slow. If, on the one hand, it frequently delays useful reforms, it has, on the other, this advantage—that reforms, with us, seldom outrun national opinion, while such protective legislation as is finally enacted usually has the weight of the public conscience behind it. Thus, the successive steps by which our existing code of industrial law has been built up are the result of action taken as the public mind became gradually aroused to the existence of wrongs and sufferings of which it had previously taken little or no account. First, a hundred years ago, it was the hapless condition of "Parish Apprentices"—the pauper children handed over by the Poor Law Authorities into white slavery in the mills—which, when revealed to a horrified world, brought about the passing of the earliest Factory Act. Later, in the days of Owen and Shaftesbury, the legislature was persuaded to extend its protection to other classes of children industrially employed;

regulation of the labour of "young persons" between fourteen and eighteen followed; lastly, the labour of many women was limited by law. At the present moment, the nation is preparing, for the first time, to restrict by statute the hours of labour of many adult men. Development of all the three original divisions of protective legislation—limitation of hours, provision for health and safety, and education—has been gradual. For a long time wages remained untouched by any legislation save that of the Truck Acts; recently, the enactment of the Particulars Section, which gives the Home Secretary power to order that in certain trades a ticket stating the amount to be paid for the work when completed shall be given out with it, represents an attempt to regulate payment in the interests of the unprotected worker.

It is hardly necessary, at this time of day, to point out the benefits to the employed—and, by their own frank acknowledgment, to employers also—of the protective legislation referred to. Those who deny these benefits, and would fain see women at least enter the labour market free from all limitation of their hours of

labour (I do not know whether they would propose to grant this "freedom" to children also) must surely content themselves with very short retrospective views; if they looked back far enough, they would see that their position is untenable. Not one of them, I am persuaded, would desire a return to the days when women worked, half naked, in mines as veritable beasts of burden, when children of seven and nine wrought fourteen and sixteen hours a day in cotton mills, when, as Sir Robert Peel stated in the House of Commons, the work of women and children, "in manufactures other than cotton work, might sometimes be continued thirteen, fifteen, even seventeen or eighteen hours consecutively." Yet this was the state of things prevailing before the restrictive provisions of the Factory Acts came into force —a state of things which, fatal to the worker whose life it shortened, whose development it stunted, whose health it permanently injured, would in the long run have been fatal to the excellence of the work also, and, consequently, to the prosperity of our national industries as well. Under the Factory Acts, where they are properly enforced, a life has been secured

to the worker which, if hard, has still human possibilities—which is a life, in short, and not a mere suffering animal existence. The education, imperfect indeed but still valuable, of the children of such workers has been provided for. Conditions of work have in ordinary industry been rendered safe, decent, and fairly healthy, where formerly they were full of peril to life, health and morals alike. Even in the dangerous trades, although much remains to be done for the better safeguarding of those whose business it is to handle industrial poisons, a study of the Chief Inspector's Reports, since the date when these trades were first brought under Special Rules, will show that regulation has had a striking effect in reducing the amount of suffering in connection with this class of industry.

Contemplating the beneficent effects upon industrial life of regulation by a code of laws, we are naturally impelled to ask whether the Legislature might not well take courage to go a step further? In the case of the industries discussed by Miss Tuckwell in the preceding chapter, it is clear that direct regulation of conditions and of hours is out of the question,

as far as home workers are concerned. These can only be indirectly effected by a regulation of the wages of which they are a necessary consequence. The insanitary condition of too many out-workers' homes is due chiefly to poverty; the excessive hours of labour, noted nineteen years ago in the Report of the House of Lords Committee as one of the features of sweating, are a natural consequence of that acute under-payment which is its root cause. However gladly some of us may overwork ourselves when engaged in writing novels or painting pictures, it is quite certain that no woman keeps a sewing-machine going, or pastes matchboxes, or pulls rabbit fur for fourteen to sixteen hours a day, because she likes doing it. Economic pressure of the most severe kind, the absolute necessity of getting together, by a given day, the little pile of shillings with which to meet the rent collector, the grocer and the baker, impels her to work to the limit of endurance. Pence sufficient to pay tram or omnibus to and from the factory where work is given out, and to purchase certain things, such as fuel (often a requisite of the work itself, as in the case of a tailoress with

pressing irons to heat or a box-maker who must keep an even temperature for her wares to dry in), light and soap must be earned at any cost.

Wages are not only inadequate, they are actually falling in many industries; yet so great is the pressure of necessity that workers dare not resist reduction, since there are always competitors ready "to do it for less." In a series of interesting examples of reduction furnished in the chapter on "Employment and Wages" in Mr. Howarth's and Miss Wilson's admirable social and industrial study *West Ham*, we find a jacket-maker who used to get 17*s.* 6*d.* a dozen fifteen years ago, now getting 5*s.* 6*d.* a dozen for exactly the same work. Another tailoress, who has worked for forty years at her trade, is receiving 2*s.* 6*d.* a dozen for coats and 2*s.* 3*d.* for reefers, where ten years ago she received 5*s.* a dozen from middlemen for exactly the same kind of garments; yet another, who has worked for over thirty years for one firm, is being paid 6½*d.* and 7½*d.* for waistcoats which used to bring her in 1*s.* 4*d.* each. While prices in the shirt industry are nominally unaltered, the

work itself has become so much more elaborate that in fact they have in many cases fallen by a third or a fourth. On a falling wage no improvement in hours can be looked for; if there is an improvement in the homes since 1899, when the Report of the Lords Committee was issued, this is not because home workers are less poor than they were nineteen years ago, but is rather due to the higher standard of hygiene and cleanliness which better education and an increased sense of self-respect have created. Economically, the position of the sweated worker tends to become worse rather than better. Home workers are in the worst possible case, because of their proved powerlessness to organise; but it would be a mistake to suppose that, as far as wages are concerned, sweating is confined to out-work. It would be easy to name factories, both in the great centres and in provincial towns, where the wages paid to women workers are no whit more adequate than those received by the East-end tailoress or brushmaker who carries on her occupation at home. In such factories we find women making stock trousers throughout (except buttonholes) for $5\frac{1}{2}d.$ and $6\frac{1}{2}d.$ per pair, and overcoats for

1*s.* 4*d.* with deductions for "sewings." We find other women preparing foods, standing all day at their work, whose weekly earnings vary from 3*s.* 9*d.* to 6*s.*, 7*s.* being considered a record week. We find workers who have been twenty years in the employ of the same firm, who in all that time have never earned and never expect to earn more than 5*s.* weekly. We find girls, after working the full factory day, conniving at evasion of the law by taking home work to finish at night, and sitting up regularly till eleven P.M. or even later to complete it, in order to bring their poor wage up to the figure at which it stood, before, by some sudden reduction, it was lowered from the bare subsistence level to one on which it seems impossible to live at all. And we ask whether something cannot be done to stay this perpetual forcing down of wages by the action of unchecked competition, and to introduce order and regularity into the industrial chaos described in the preceding essay—thereby bringing relief, not to the worker only, but to the conscientious employer who, by reason of the absence of any standard wage in the sweated industries, finds himself hopelessly defeated in his efforts

to pay decent wages to his workpeople. I know personally a box-maker in Stepney who is, at the present moment, doing precisely similar work for two firms, and receiving pay at the rate of 4½*d.* per gross less from one than from the other. Is it not clear that, in a short space of time, the better paying firm will be forced by sheer pressure of competition into paying the lower rate, unless the State intervenes to lessen and equalise this pressure? The case of employer and employed calls alike for such intervention. On the one hand, we have a man with a conscience forced, perhaps, to choose between defiance of that conscience and an obedience which may involve commercial failure; on the other, workers like the young widow of whom one factory inspector lately gave account to the Home Work Committee, making forty shirts between Tuesday evening and Thursday morning, or those child hook-and-eye carders of Birmingham whom another found toiling regularly, before they were four years old, at a trade in which the maximum weekly wage earned by a woman with the help of a whole family of children is never found to exceed 4*s.* 3*d.* a week. To

such victims of the sweating system, the establishment and State sanction of some machinery for fixing minimum rates would be an incalculable boon.

The principle of the minimum rate is no new principle in this country. In all Government works—docks, arsenals, clothing factories—fixed minimum rates exist for the different classes of labour employed. The great organised trades have, by means of collective bargaining, succeeded in fixing such rates for themselves. There is such a rate in the mining industry, in the engineering industry, and in the cotton trade. Other trades, less completely organised than these, have succeeded in setting up similar standards by means of arbitration under the Board of Trade, when the arbitrator, sitting as chairman of a joint committee of employers and employed, has fixed piece-work rates for industries like the boot and shoe trade, printing, and even for so complicated an industry, subject to constant change and dependent on the demands of fashion, as the Nottingham lace trade, with conspicuous success both as regards the maintenance of peace, the prosperity of the industry, and the satisfaction of the workers.

The Wages Boards which it is proposed under the Sweated Industries Bill to set up, primarily in three trades only, for the fixing of minimum rates, are intended by the promoters of that Bill to work much on the lines hitherto followed when action has been taken under the Board of Trade by way of arbitration. The question of the minimum rate is, happily, not a party question, and the Bill passed its second reading in the House of Commons, on February 21, without a division. It was most encouraging, to those who desire to see a national campaign inaugurated against a national evil, and who are convinced that no movement which is not national can avail to cure that evil, to watch, on that memorable occasion, member after member rising from different sides and all parts of the House in support of the Bill. The measure may be said to have found champions among men of every shade of opinion. The Government promised its favourable consideration; one of the best speeches made in the Bill's favour came from a Conservative ex-Cabinet Minister; the Labour Party, with a solitary exception, gave it its unanimous approval; an eloquent Irish-

man welcomed it on behalf of the Nationalists. It is of good omen, surely, that the cause on behalf of which men were ready for a while to forget party distinctions and set aside party prejudices should be the cause of the most weak and helpless portion of our industrial population.

The Bill itself is a simple one. Since it is frankly experimental, the proposed limitation of its operations, to begin with, to the three great sweated trades of tailoring, dressmaking and shirt-making, seems wise, and should reassure those who dread reforms likely to cause any sudden dislocation of industry. Since power is given to the Home Secretary to appoint a Wages Board for other trades from time to time, the extension of the system, if it is found to work beneficially, is provided for without resort to fresh legislation. The Wages Board is in every place to consist of an equal number of representatives of employers and of employed with an outside chairman. Separate Boards are to be appointed, not only for separate trades but for different localities, thus ensuring that local trade conditions shall be taken into account in fixing rates. All the

members of the Board being interested in the maintenance and prosperity of the local trade, either as employers or workers, a safeguard is provided against the imposition of rates which it would be unable to bear: such a Board may, it is certain, be trusted not to "kill the trade." The Board will have power to fix minimum rates for all kinds of work, whether time or piece-work, for a limited period. (It should be noted that what is proposed to be established by the Board is not a fixed minimum *wage*, below which no person shall be allowed to work; but minimum *rates*, different for each class of work, the basis of such rates being the average wage paid in a district by a good employer to an average worker.) Power is also given to make the minimum rate different for different classes of persons employed. This clause is undoubtedly intended to operate in favour of the worker of less than average capacity. One of the most important provisions of the Bill, in the opinion of the promoters, is the power of inquiry clause, by which if a Trade Union or Trade Council representing a trade in any district, or any six persons who are either employers or workers

in the trade in that district, shall apply for the establishment of a Wages Board, the Home Secretary must cause an inquiry to be held into the desirability of appointing one. In this manner the first step towards the settlement of an industrial dispute—namely, the bringing face to face of the two interested parties—will be secured. The immense value of this procedure in the case of women workers can only be fully appreciated by the workers themselves and by those who have striven to act as their friends. In a very large number of cases, the difficulty, for women and girls, of obtaining access to their employer, and of laying their grievances before him are considerable. Under a law providing that, on the demand of six women workers, inquiry into their grievances must be made officially, the redress of those grievances may much more hopefully be looked for. The Factory Inspectors are, by the memorandum accompanying the Bill, to be entrusted with the enforcement of payment of such minimum rates as the Boards shall fix. Penalties are imposed for the payment or attempt at payment to workers of wages lower than the fixed minimum rate; and where an employer has

succeeded, for a time, in evading the law by paying a lower wage than the minimum, he may be compelled, on discovery, to make good past deficiencies.

I have pointed out already that the basis of principle on which these Boards will rest is already largely accepted in the British industrial world, and that fresh occasions for its application are continually arising in connection with many of our greater trades. But we are not left to find analogies, more or less perfect, in the proceedings of Joint Committees and voluntary conciliation Boards, for the machinery we desire to see set up for the regulation of the sweated industries. In the Special Boards Legislation of our Colony of Victoria, we have something more than a working model of Wages Boards; we have an object-lesson in their practical effects. Other of the Australasian Colonies have dealt with wages by means of legislation. But the arbitration system of New South Wales, and that, still stricter, of New Zealand which served New South Wales as a pattern, appear much less susceptible of adaptation to the circumstances of an old and complex civilisation than the more elastic legis-

lation of Victoria, and find little favour in this country, whether with employers or with the representatives of organised labour.

Victoria started her system of Wages Boards in 1896 with five Special Boards, which in 1907 had multiplied to the number of forty-nine. The trades chosen for the first experiments were those known to be the most heavily sweated in Melbourne: clothing, boot and shoe making, shirt-making, furniture and bread-making. Victorian Boards consist, as it is proposed the British Wages Boards shall do, of representatives of employers and employed in equal numbers, with an outside chairman. Determinations, as the awards of the Special Boards are called, are made by a majority of the members. Appeal may be made to the Supreme Court against the validity of any determination of any Special Board by a single person. In addition, a majority of the representatives of either party on the Board or any employer or group of employers employing not less than 25 per cent. of the total number of workers in a trade or, on the other hand, 25 per cent. of such workers, may at any time appeal against a Determination to the Minister

of Labour. The Minister refers the appeal to the Industrial Court, which has power to consider "whether the determination appealed against has had or may have the effect of prejudicing the progress, maintenance of or scope of employment in the trade or industry affected." Determinations are based upon the average prices paid by "reputable" employers to workers of average capacity; and the Board is empowered to fix special rates for aged, infirm or slow workers. Every person to whom these special rates may be paid must hold a licence from the Chief Inspector. The Special Boards regulate wages, both in factories and among out-workers, in those trades for which they are appointed. The penalties for evasions of the Act are severe, and particular provision is made that the offending employer, even in cases where he has induced the worker to contract with him formally for a lower than the minimum rate of pay, shall not escape the punishment of his fraud, all contracts to this end being legally null and void.

What has been the effect of Wages Boards in Victoria during the eleven years since they first came into existence? As far as it is

possible to iudge in so limited a period, they have been steadily beneficial to the worker, while at the same time they have not injured the employer. Indeed, their growing popularity with employers is one of the most powerful recommendations that can be offered on their behalf. The first Wages Boards Act was passed for four years only, in the teeth of considerable opposition from the representatives of employers in the Legislature. But, when the time came for renewing the Act, some of its leading opponents of the employer class were eager to secure its re-enactment, not only as an engine for putting down sweating, but as a useful instrument for the suppression of the dishonest employer; and it is owing to their attitude that the Act has now been made permanent.*

* Mr. Aves, who is, on the whole, opposed to the ntroduction of Wages Boards into Great Britain, bears testimony in his report on "The Wages Boards and Industrial Conciliation and Arbitration Acts of Australia and New Zealand," to the fact that, as regards sweating, "there is abundant testimony to the fact of improvement" under Wages Boards. He states that in the matter of "levelling up," the Boards "may almost be regarded as having won general approval"—a remarkable statement from so cautious a witness. In another place he alludes to the "widely spread belief that the Boards have

It must not be supposed that sweating in Melbourne, before the advent of Wages Boards, was a light or inconsiderable evil. Reports of the then Chief Inspectors of Factories show that it was not only firmly rooted, but exhibited most of the ugly features with which we here are familiar: irregularity and uncertainty of prices accompanying low payments varying enormously between the factory and the home.

While "sac" coats were being made inside for 2*s.* 9*d.* to 3*s.* 6*d.*, the price outside was 1*s.* 3*d.*; the factory price for trousers, 1*s.* 3*d.*, became 6*d.* to the out-worker. In underclothing the difference was still more marked. In 1898, before the Underclothing Board made its first Determination, out-workers were getting 2*s.* 6*d.* per dozen for nightdresses which in a factory making low class goods were paid for at 6*s.* 9*d.* per dozen.

been instrumental in diminishing, some say in abolishing, sweating." Evidence in support of this belief is given, of which some of the most valuable comes from the once notoriously sweated clothing and bread-baking trades. The finding of the Select Committee of the Legislative Council of South Australia, which conducted an inquiry into the working of the Boards in Melbourne, was "that women operatives have benefited considerably" and "that sweating in the general clothing trade has disappeared."

The actual rise in wages under the Boards has not, in the trades in which women are employed, been characterised by any startling advance. The benefit of the determination has rather appeared in a general "levelling up." But it is to be noted that in all cases an advance has been made. Thus, under the Dressmakers Board, the average wage of an adult worker has been raised by 2*s.* 8*d.* per week; under the Underclothing Board by 1*s.* 8*d.*; under the Shirt Board by 11*d.*; under the Pottery Trade Board by 3*s.* 2*d.*; under the Boot Board by 3*s.* 9*d.*; under the Brushmakers Board by 5*s.* 8*d.* These figures, as representing the average increase in trades, the employees in which were some of them in receipt of a higher than the minimum wage before the appointment of a Board, do not, of course, represent the advantages gained by the specially sweated workers. In the case of some of these, the gain has been very great. Thus, a trousers finisher who in 1893, by working ten to twelve hours per day, earned 5*s.* in a week, has now a minimum of 20*s.* A shirt finisher, noted as a good worker, made in 1890 a maximum of 2*s.* 6*d.* per day; for others the weekly maximum was 7*s.* to 8*s.*; the present

minimum is 16*s.* The contrast, in trades employing women, between wages under Boards and those in districts where no Boards exist, is striking. For instance, official figures of 1904 show that the workers in the clothing trade not under the Board received an average wage less by 1*s.* 6*d.* than those coming under its operation; while in like manner the dressmakers in outside districts were paid an average of 7*s.* 2*d.*, while those who had been a third of the year under the newly established Board were getting 12*s.* 2*d.* When this Board first came into existence, the average wage of a dressmaker was 11*s.* 11*d.* per week, while in the supposed "inferior" trades of underclothing and shirt-making the average was 12*s.* 7*d.* and 14*s.* 10*d.* respectively. The highly skilled trade of millinery has only just obtained a Board, owing in great measure to the fact that a certain number of the employees were pocket-money workers, to whom the raising of the wage was not a vital necessity. Their average wage was 9*s.* 10*d.* per week, which will appear absurdly low when compared with that paid to underclothing workers and shirt hands.

One point should be specially noted. Along

with the gradual rise of wages and the multiplication of Boards, there has gone no diminution of prosperity in Victoria. The latest Report of the Victorian Chief Inspector of Factories records, from district after district, the news that trade is flourishing and employment plentiful. I do not cite this as a proof that a system of Wages Boards necessarily produces commercial well-being; but I may, perhaps, be allowed to regard it as evidence that such a system is not necessarily injurious to a country's trade. It should also be noted that the Boards have had no effect upon output.*

There was, at first, some difficulty in enforcing the Determinations. Evasions on the part of employers occurred, with occasional collusion on the part of workpeople. But the Inspectors are practically unanimous in stating that these difficulties have practically disappeared, and that in nearly every district the Determinations are working smoothly and being well

* Mr. Aves agrees that "as regards output the Boards have had no appreciable affect." He also considers it proved that "the Determinations are on the whole, not considered to militate seriously against regularity or certainty of employment."

observed. There has been only one real failure among the Boards: the Carriage Board, which was unable to fix a Determination and has not been revived. It is admitted that breaches of the law frequently take place in connection with the awards of the Furniture Board; but these are due to a special circumstance—the presence of Chinamen in the trade. It seems that, however carefully drafted your law, and however skilled and vigilant your Inspector, the Chinaman will manage to defy both. By the Factory Law of Victoria, four persons working together constitute a factory; by a special clause, one Chinese employee constitutes a factory! The authorities, it will be seen, have done their best to draw the meshes tight about the Celestial cabinet-maker; yet they sorrowfully acknowledge that he continues to slip through their hands.

I have tried to set down the most obvious advantages of Wages Boards. Let me, in conclusion, discuss very briefly some of the principal objections offered to them by those who oppose their introduction.

It is asserted that they will throw numbers of the less skilled, especially among home

workers, out of work, and so increase unemployment. Employers, it is said, will not find it worth while to employ at the minimum rate many whom they do employ now at a lower wage; is not half a loaf better than no bread at all? This objection ignores several results of the Wages Boards system which are bound to qualify, to a considerable degree, any tendency it might otherwise have to throw people out of work by raising the standard of efficiency. First, provision will probably be made here, as it has been made in Australia, for the retention of the "old and slow worker" on special terms. Secondly, better wages—which mean for the worker better food, more healthy lodging, fewer hours of labour—may be expected to produce of themselves, after a short interval, a higher standard of work in many cases. Thirdly, these better wages involve an increase of purchasing power on the worker's part, leading to an increased demand for more and better articles, swelling production, and with it employment. These considerations, taken together, raise a well-founded doubt whether there would, even on the first establishment of Wages Boards, be any great addition to the unemployed

ranks, and inspire a belief that their ultimate effect would be to thin those ranks considerably. Let it be granted, however, that in the case of certain conspicuously inefficient workers, there would be difficulty in obtaining employment under the new system. It is surely better that the State should frankly undertake the entire maintenance of a certain number of persons never at any time capable of wholly maintaining themselves, than that a large class of the population should continue to earn only half a living and—worse still—to bring up children doomed by the conditions of their upbringing to become in their turn a body of sweated workers even more numerous than their parents. Better, on purely economic grounds, to cut at the root of the poison-tree now, even at the cost of some temporary pecuniary expenditure, than to suffer it to grow and wax mightier with every generation, until the whole field of industry is darkened by its unwholesome shadow.

Then, some ask—will not Wages Boards inevitably raise the price of the article to the consumer? If we may trust the experience of Victoria, there is no reason to suppose so. There, by general consent, the price of the

article and the cost of production have alike been little affected by the Boards. In the clothing trade, upon which, as we have seen, the influence of the Boards has been most marked, we find employers recording at once a rise in wages and a *reduction* in the cost of production; there, as elsewhere, it has been discovered that low wages and cheap production do not necessarily go together. Here at home pressure judiciously applied to the sweating employer, or, in the case of one of nobler mould, the simple production of evidence that a higher wage is paid by his competitors in industry—thus relieving him of the fear that he must necessarily be undersold if he pays a decent rate—will sometimes produce an advance in wages so considerable as to prove the existence of a very substantial "margin" without any corresponding increase taking place in the price of the articles manufactured. We should expect, further, that employers in sweated industries will be stimulated by a system of regulation to greater enterprise and more active use of their talents for organisation and invention than they show under the present reign of disorder; even as has been the case with the conductors of the

greater trades since these fell under the restrictions imposed by the Factory Acts. As long as a man can reduce the cost of production by the simple expedient of cutting down wages, he has little incentive to discover any other method of bringing about the result he desires. If denied this easy solution of his difficulty, he will in many cases find a more ingenious way out of it.

"Weak and tottering industries will be destroyed." Need we regret such destruction? Where sufficient capital for the safe and proper maintenance of an industry does not exist, and the business lives by the sweating of the men and women who work in it, the sooner it disappears the better. A man who finds himself unable to pay his employees a living wage, has no right to be an employer. We may pity his personal failure to achieve commercial success; but elementary principles of right and wrong, no less than every plea of expediency, demand that he should relinquish an attempt to reach that success by exploitation of his fellow creatures. The amount of employment for which he stood while in business will not be lost; it will be transferred to better-conducted businesses, to the gain of the community.

An objection of a different kind is that which hints at the danger that a minimum rate, wherever it is established, will become the maximum. It is one which naturally suggests itself. But it is not justified by facts. Over and over again, in the latest Report of the Victorian Chief Inspector of Factories, do we come upon definite statements from his inspectors that the workers in this trade and that controlled by Wages Boards are receiving wages above the minimum rate. Not long ago, in a public speech, Mr. Askwith, K.C., whose experience as a conductor of arbitrations under the Board of Trade is "extensive and peculiar," poured scorn upon the idea that wages based upon a minimum rate would necessarily never rise above that basis. It will always be worth the employer's while to pay a higher rate to the worker possessing exceptional skill, or able to work at a higher rate of speed than his fellows. And where, as in the case of home-workers, payment is by piece-rates, capacity for producing a larger amount of finished work must always meet with its reward.

There is more of substance in the objection based upon fear of international competition.

Mere *foreign* competition, within our own borders, is another matter. The alien, under a Wages Boards system, would be in a position differing no whit from that of any other worker engaged in a sweated trade, and his present advantage, in certain trades, over our own people would tend, therefore, to disappear. Not that the alien is responsible for the presence of sweating among us: the evil is rampant in places where he has never set his foot, and in industries which he has not touched with one of his fingers; in certain branches of trade he has complicated an existing problem; in none can he be truly said to have created one. But a possible influx into our markets of articles manufactured abroad by sweated labour is a danger deserving attention. How shall it be met? The true solution of the difficulty would seem to lie in international agreement; and towards this, happily, international feeling and opinion are moving fast. The problem of sweating is one that presents itself in every industrial country, and looms very large just now in the social consciousness of the greater nations of Europe. Statesmen and social reformers are alike preoccupied by it.

The recent Home Work Bill of the German Reichstag, the searching investigations of the French Labour Office—to take only two examples—bear evidence to this preoccupation. Certain Governments have already gone so far as to institute inquiries into the extent to which "sweated" goods are manufactured within their borders for export. The results of such inquiries will form the basis of the international agreement to come. Let Great Britain have the courage to resume her old place in the van of nations as the pioneer of industrial legislation, let her first, in the Old World, institute Wages Boards for her sweated industries, and she will not lack imitators on the Continent.

The final argument advanced by some objectors to Wages Boards is that they interfere with freedom of contract; I have heard it added that, if introduced here, they will "kill the spirit of enterprise" in the worker. One is tempted to conclude that these objectors are armchair students of the sweating problem. Those who have come to close quarters with it would hardly expect to find even the powerful stimulus of a wholly unchecked competition strong enough to keep alive the spirit of enter-

prise in people who work from twelve to fourteen hours a day for sums varying from 5*s.* to 8*s.* 6*d.* a week. As for freedom of contract, it is non-existent where the sweated worker is concerned. What freedom can there be where the life of one of the parties to the bargain is at stake? The sweated worker must take the work that is offered her at the price which her employer chooses to pay. If this price be arbitrarily lowered or cut down by fines and deductions which she cannot account for, she dares not demand an explanation: her services are so easily dispensed with! and there are a hundred rivals, as poor and as hungry as herself, to snatch the work from her fingers should they hesitate for a moment to close upon it. She has neither leisure nor money for organisation, and there is in her no heart for revolt. By-and-by, perhaps, when the community has come to her assistance and lifted her out of her present morass of misery and set her feet on firmer ground, she may take courage and make some effort on her own behalf. But the first step upwards she is incapable of making, unless the State help her to make it.

The State: that is, the community; our-

selves. The burden of responsibility in this matter rests ultimately upon our own shoulders. National greed and indifference have produced the conditions in which sweating has come to form part of our national life, while its products take their daily place in our individual existence. National action, finding expression in law, is alone strong enough to change these conditions. But whether this national action shall take place or not is a question for individuals—for the men and women who make up the nation—to decide.*

* Since this chapter was written, the hands of those who see in regulation of wages the only practical remedy for sweating have been strengthened by the publication of the Report of the Home Work Committee, with its courageous recommendation of Wages Boards. The proposal that only the wages of homeworkers shall be dealt with by such Boards is an unfortunate and, in view of the notorious underpayment of women in many classes of factories, an illogical limitation of the step recommended. It is to be hoped that the administrative difficulties necessarily attaching to an attempt to discriminate between two classes of workers in the same trades will have due weight with the Government, and that the official Sweated Industries Bill will be found to include factory as well as home workers, in such industries, within its scope.

III

TRADE UNIONS

BY

MARY R. MACARTHUR

III

TRADE UNIONS

THE position of women in industry is one of the most vital problems with which the labour world is confronted to-day. With the introduction of machinery, men wage-earners have witnessed the influx of women into branches of almost every trade and industry, and have viewed with growing concern the lowering of wages involved by their unregulated competition. According to Mr. Sidney Webb, the instances of direct competition between men and women in industry are comparatively few, but it cannot be denied that these instances are rapidly increasing, and, were it otherwise, the existence of a large mass of cheap fluctuating labour is bound to detrimentally affect the wages paid even in processes of a trade which may be exclusively held by men.

In the past, male trade unionists have resented this "intrusion" of women; they have excluded them from membership of their Trade Union, and in some cases have attempted to exclude them from the trade itself. I think it may now be stated that this prejudice has died, but it has died hard.

Little over a year ago the London Trades Council, a body of about 200 men representing the organised trades in the Metropolitan area, had on its Agenda a resolution condemning the L.C.C. for opening certain technical classes to women. The mover of this resolution urged that the L.C.C. was thereby using the money of working men in order to equip their unscrupulous competitors. As the only woman member at that time on the Trades Council, I deemed it my duty to oppose the resolution; I pointed out that by taking this action working men were merely putting an obstacle in the way of the technical education of their own sisters and daughters, while leaving the way open to the middle-class woman who could afford to pay for instruction and would be, as a pocket-money wage-earner, an even more unscrupulous competitor. The resolution was unanimously

defeated, even the mover omitting to vote for it.

The correspondence files of the Women's Trade Union League furnish many further illustrations that the prejudice against women wage-earners has indeed died hard. The most amusing is a letter from a trade union of men in the Midlands asking for the services of a woman organiser and complaining of the bad effect which women's competition was having on their trade. The letter concluded with the following ultimatum: "Please send the organiser immediately, for our Amalgamated Society has decided that if the women of this town cannot be organised, they must be exterminated."

To-day the great majority of Trade Unionists recognise the futility of attempting, like Mrs. Partington, to sweep back the Atlantic Ocean with a broom. They recognise that for good or ill, in spite of the sentimental ideal of women's place being the home, women have come into industry to stay, and the only solution of the problems inevitable to their advent, is their organisation into Trade Unions.

The necessity of the organisation of women is best illustrated by quoting instances of

the admittedly chaotic condition of women's industries. There are unfortunately no reliable statistics as to the average wages earned by women workers, but, speaking from a large experience, I estimate that the average wage of the manual woman worker, taking into account slackness, sickness, etc., is certainly not more than 7*s.* 6*d.* weekly all the year round. The comparatively high average of the textile trades of Lancashire, owing to the unexampled organisation which has resulted in a membership of over 96,000 women trade unionists, is included in my estimate, as is also the wage of the East End home worker (which may sometimes drop as low as 2*s.* 6*d.*).

Wide publicity has recently been given, by the Queen's Hall and other Exhibitions, to the low wages paid in the super-sweated trades. Considerable sensation was caused by the revelation that men's shirts were made throughout for 1*s.* 6*d.* a dozen, the worker finding her own cotton, but a more common price for a certain class of shirt is 1*s.* a dozen, and I have known of cases in which such shirts were sub-let from one woman worker to another at 8*d.* and 7*d.* a dozen.

The unorganised woman is even more powerless than the unorganised man; she is more pliable, more inclined to underestimate her own value (industrially), and, I think, on the whole more conscientious. However admirable these traits in her character may be, they render her an easier prey to the unfair employer, who does not scruple to take advantage of them. The lengths to which some employers will go may be illustrated by the experience of the officials of the Women's Trade Union League during a visit of the Trade Union Congress to a large and populous Northern town. The League, as is its custom, was endeavouring to use the atmosphere created by the Congress to organise the women engaged in the local industries. At a street corner meeting of the women employed at one large factory, I happened to refer to the comparatively high wages earned by their sisters in the textile trades of the adjoining county. I mentioned that there, on full time, a four-loom weaver might earn as much as 24*s.* a week, and I asked half jestingly, "How many of you are earning as much?"

There was a roar of laughter at the very idea of such wealth, but one woman who sat in the

front row did not laugh. She rose from her seat and called out passionately, "We do earn it, but we don't get it." After the meeting I approached the interrupter and asked her to explain the exact meaning of her remark. Then it was that I was initiated into the bonus system. At this factory a girl would be engaged at a fixed weekly wage of, say, 10*s.* a week. She had, however, to work to a piece-work list. This list set forth the price of each piece of work and 15*s.* had to be made, according to this list, before the time worker was entitled to her 10*s.* For every 1*s.* she made over 15*s.* she received an extra 6*d.*, and for every 1*s.* over £1 an extra 3*d.* So that the more work a woman could turn out the less she was paid for it per piece. Yet this aspect of the matter seldom occurred to the workers, and they toiled and sweated in order to augment the "bonus." Needless to say, as their average individual output increased the piece-work rates decreased, and thus in the long run increased skill or deftness did not mean increased wages. It would be difficult to conceive a more effective method of "driving" than this "bonus" system. Moreover, if a worker by sickness were to

absent herself for, say, half a day from the factory, the fact that she might put on an extra spurt and, despite her absence, turn out 15*s.* worth of work, would not prevent a deduction of 1*s.* 6*d.* from the 10*s.* due for "lost time."

From the employer's point of view it was a case of "Heads I win, tails you lose."

Another curious custom at this factory was the deduction every week of 2*d.* for "cook-money." The women brought their own tea, sugar, milk, and mugs, but the cook boiled the water, and for this service each woman paid 2*d.* weekly. "The cook must be a millionaire," I remarked, for there were over 400 women employed in the factory. "Oh, no," was the eager reply, "she only gets 8*s.* a week, and she does heaps of other work besides." A moment's calculation, therefore, shows that out of "cook-money" alone the firm must have made a minimum profit of £150 per annum.

Another fact which must be remembered in considering the position of women in industry is that women in authority are usually harder task-masters than men.

Much has been said and written about the sweating propensities of the Jewish employer

in the East End, but experience shows that sometimes the fashionable dressmaker of the West End rivals him in her capacity for sweating. Frequently an employer uses his manageress or forewoman to speed-up the workers or enforce low rates and generally take advantage of their helplessness in a manner which he himself would be too scrupulous to do personally.

I can perhaps best illustrate this rule by quoting an exception to it!

Some time ago the manageress of a soap firm, whose name is a household word, came to me with a story of which she gave me satisfactory documentary proof. She had, after many years' service, approached the firm for an increase of salary. The firm replied by letter that the directors were not prepared to definitely increase her salary, but they made the following proposal which, they suggested, would be even more advantageous to her. She would be paid 2½ per cent. commission on the increased output of her department as soon as the increase reached 25 per cent. When this output was reached the girls' wages were to be reduced 30 per cent., and if she prevailed upon

the girls to accept this reduction she would receive another 2½ per cent. upon the amount it represented. Thus the energy and capacity of the girls was to be increased 25 per cent., and their wages to be lowered 5 per cent. To her credit, be it said, the manageress, rather than agree to this iniquitous arrangement, resigned her situation.

Low wages are not the only grievance of which women workers have to complain. Long hours of labour are perhaps a smaller matter, but their physical effects are almost equally injurious. Hours of labour are entirely unregulated in the case of home workers, and to all intents and purposes in the cases of shop assistants, barmaids, and workers in kindred trades. Even where they are regulated by the Factory Act, evasions are frequent. It will be remembered that at the time of the production of the play "Warp and Woof," by Mrs. Alfred Lyttelton, in which girls are represented as working for twenty-six consecutive hours, there was a great outcry against the so-called exaggeration of this representation. But, as a matter of fact, an even more atrocious case can be officially vouched for. In this instance

a number of girl dressmakers, engaged in making gowns for Ascot at high pressure, worked from 8 A.M. one morning until 4 P.M. the following afternoon with only brief intervals for meals and rest, making a total period of thirty-two consecutive hours' work.

Such cases are, of course, exceptional. The more common fourteen- or twelve-hour day seems trifling in comparison; but it must be remembered that a working day of even that length leaves a girl no time for physical, mental, or moral development.

Having indicated in the above facts the necessity for some organisation to protect women workers from the admitted hardships of their lot, I come now to the difficulties with which attempts at organisation are met. In my opinion these difficulties have been much exaggerated. As I have stated, the average male trade unionist agrees that women must be organised, but having arrived at this commendable conclusion, he usually proceeds to demonstrate the impossibility of its realisation. If the time and ability spent in explaining obstacles in the way of organising women had been devoted to overcoming the difficulties

which do exist, the percentage of unorganised women's labour would be considerably less than it is to-day.

Nevertheless, much has been done. It is significant that there are more women trade unionists to-day than there were men represented at the first Trade Union Congress held at Sheffield nearly forty years ago. When it is considered that so many forces have conspired to retard the development of women, the fact that there are now well over 150,000 women workers organised out of a possible three and a half millions,* while there are two million men trade unionists out of a possible eleven millions, is not so disheartening as it may appear on the surface. Indeed, from these figures, quoted to me by a well-known trade unionist leader, whose views on women's organisation are notoriously pessimistic, I am less impressed by the percentage of women unorganised than by the fact that a great deal still remains to be done in the trade union organisation of men.

There is no inherent sex incapacity to recognise the necessity for corporate action. The probability of marriage is not the insurmount-

* Excluding domestic servants.

able obstacle we are often led to believe it is. One recognises, of course, that lack of permanence in women's employments militates against organisation, because it discourages technical instruction and lowers the standard of work. The lack of permanence, however, from other causes affects men in the same way The real difficulties may be classified in two ways: First, the low standard of living may be stated to be at once the cause and consequence of women's lack of organisation. This sounds paradoxical, but it is nevertheless true that while women are badly paid because of their unorganised condition they may be unorganised mainly because they are badly paid. The fact that the average weekly wages are, as I have stated, about 7*s.* 6*d.* constitutes the most serious difficulty in the way of women's trade union organisation. The very lowest class of women's labour can never be efficiently organised until the workers are raised to that standard at which intelligent contemplation of their position becomes possible. The extension and more efficient application of protective legislation is undoubtedly a great lever in this direction. The proposal, for example, to in-

stitute a legal minimum wage, by means of Wages Boards, in sweated trades, makes its strongest appeal to me because of the enormous impetus which such legislation would undoubtedly give to the industrial organisation of women.

Much can also be done to raise the lower by means of the organisation of the higher grades of women's labour. This can be seen in Lancashire, where the strong organisation of the women textile workers has undoubtedly raised the wages paid to many other classes of unorganised women in the same district. This brings me to my second difficulty, which is found chiefly among the higher grades. It is a narrow class prejudice which causes the semi-professional class of workers to look askance upon anything in the nature of trade unionism. It is this same feeling which makes the telephone girl employed in the Government service inclined to look down upon her sister who is not a Civil Servant but is doing precisely the same work for the National Telephone Company, or, as inside the Civil Service itself, makes the clerk in the Savings Bank or Money Order Department of the Post Office

consider herself on a different plane to the Telegraph clerk in another department of the same office. It is obvious, of course, that feeling of this kind militates against joint action in unions, but the recent great growth of organisation amongst the more skilled and educated women workers shows that the old prejudice against the methods of the artisan is rapidly disappearing. Thus the Joint Council of Women Civil Servants now includes representatives from branches embracing nearly every section of the Post Office, and including women clerks in the Savings Bank, Money Order and other departments, Government Typists, Postal Telegraphists, and Women Sorters. Outside the Civil Servants we have the National Association of Telephone Operators, The National Association of Shorthand Writers and Typists, The National Union of Clerks, The National Union of Shop Assistants, and similar organisations. Great strides have also been made in lesser skilled trades, and altogether it may be stated that the past five years has witnessed a remarkable wave of progress in the Women's Trade Union movement.

Not only have existing unions been strength-

ened in membership, but many new organisations have been formed in different parts of the country. One of the most notable of these is the National Federation of Women Workers, a union which accepts as members women workers in any trade or process of a trade which is not already organised. This organisation has now two permanent paid officials, it has twenty-seven branches, three thousand members, and an income of nearly £1000 a year. In its membership the following trades are included:

Dressmaking and millinery.
Corset-making.
Making of ready-made clothing.
Manufacture of baby linen and under linen.
Silk-weaving.
Shirt-making.
Ammunition-making.
Cardboard-box making.
Paper-bag making.
Tea, jam, and sweet packing, and various semi-skilled processes of the tobacco trade.

The method of organisation adopted by the Women's Trade Union League, which is a

federation of all unions containing women members, and has now an affiliated membership of close on 150,000 workers, is, where possible, to organise in one union men and women working in the same trade. With the exception of the National Federation of Women Workers, which is strengthened by being affiliated to the General Federation of Trade Unions, organisations of women alone are rarely successful. It is difficult for a small struggling local trade union to do anything practical in the way of improving working conditions. National organisations, with local branches, affiliated to the great federations including men and women workers, are more likely to win success in any encounter with an employer.

In attempting to organise women there is, as in everything else, a psychological moment —a tide which must be taken at the flood. It is significant that many successful organisations recently formed have been the result of some sudden encroachment on the rights of the workers.

The thoughts of most women workers are concentrated on the needs of the day. They

are often incapable of grasping anything which does not minister to their immediate wants, but however little abstract theory may appeal to them, a practical object-lesson seldom fails. Thus when all are involved in a common grievance, they readily recognise at least a temporary identity of interests; and it is then that the lesson of permanent unity can best be driven home. A strike of unorganised workers should always be utilised to form a trade union amongst them. In such cases one is frequently able to point out that had an organisation existed, the strike in all probability would not have occurred, because the employer would not so confidently have ventured to assail the rights of trade union workers.

It is quite a mistaken idea that strikes are caused by trade unions. As a matter of fact, strikes amongst unorganised workers are much more frequent, although the world does not so readily hear of them. A trade union really tends to prevent strikes by removing the grievances which cause them.

When, however, a union as a last resource is driven to strike, it is able to support its members during the struggle, and the organised workers

therefore stand a much better chance of winning than if they were unorganised and without financial backing.

In the case of women who join a trade union during a dispute in the flush of a sudden enthusiasm, there is the danger that they may lapse from membership later unless their conversion is followed up by an education in the basic principles of unionism.

New recruits to the army of organised labour must learn that a union is not an automatic machine into which they can drop their pennies and from which they can immediately draw out good conditions and higher wages without any further trouble. They must realise that trade unionism is not magic; that it entails loyalty, self-sacrifice and self-control; that it stands for the greatest good for the greatest number, and that the interests of the individual must always be subservient to the common interests.

One of the most hopeful signs of the Women's Trade Union movement at the present time is the development of many women leaders from the ranks of the workers themselves—women who, imbued with the justice of a cause,

and realising the great issues involved, have become enthusiastic missionaries, preaching the gospel of combination to their fellow workers in the factory, mill and workshop.

Now I come to deal with the functions of trade unions once they are formed. Their chief purpose is, of course, protective. The strength given by unity is used to prevent an increase in hours or a reduction in wages, to maintain the standard of their working conditions and, where possible, to improve it. It is used also to improve and extend protective legislation and to assist in the effective administration of existing labour laws.

A most important department of nearly every existing union is the providing of free legal advice for its members, helping them, for instance, in a case of accident to obtain the compensation due under the Workmen's Compensation Act. Unscrupulous insurance companies often take advantage of the ignorance of injured women workers to force them to accept a mere tithe of the sum to which they are legally entitled, or it may be they fall into the hands of an unprincipled solicitor and find that a large proportion of the sum

finally awarded them is swallowed up by legal costs.

Then there is the provident function of a trade union. Many trade unions offer an insurance against sickness, unemployment or death. In some cases, instead of a death benefit, a marriage dowry is paid to a member who is definitely leaving the trade on her marriage. If she has paid for more than two years into her trade union without receiving any financial benefit, 50 per cent. of the contributions paid is refunded as a marriage dowry.

Often in time of stress and trouble a trade union member will find the assistance lent her by her union of incalculable benefit.

There is also the social side. Through the trade unions women workers are brought together in a social way. Concerts, dances, picnics are organised, and the girls get to know each other better in one day than in years of factory intercourse.

The last, and in my opinion the most important function of a trade union of women, is that of education. Great as is the work that trade unions are doing as levers to improve working conditions, and as benefit societies to render

mutual aid to their members in time of trouble, they are fulfilling an even more important function as schools of social and economic education—education in its widest and truest sense.

Trade unions are developing in their members the important faculties of observation and deduction, and the capacity for administrative work. Trade unions are bringing new and wider interests to the women workers, and educating them to be better citizens. Living a fuller life they need no longer look to marriage as a way to escape from the monotony and drudgery of existence, but are enabled to undertake its responsibilities more fitted physically and mentally to be the mothers of the coming race.

IV

INFANTILE MORTALITY

BY

MAY TENNANT

IV

INFANTILE MORTALITY

NEARLY fifty years ago a close relationship was established between infantile mortality and the industrial employment of mothers. Nearly fifty years ago it was shown that the system which dealt so swiftly with the infant, dealt as cruelly, though more slowly, with the child, and dealt perhaps most hardly of all with the mother. Year by year this buried, forgotten evidence is re-inforced; but though its lessons are re-taught, they seem never to be learnt. Facts and warnings abound; but in the obscurity of the past the facts do not illuminate, and the warnings have no terrors. My purpose is to rescue from the past its array of facts and its store of warnings that, added to the facts and warnings of to-day, they may satisfy our

capacity for inquiry and demonstrate our readiness for action.

It is true that the Inter-Departmental Committee on Physical Deterioration considered additional action to be necessary "in order to arrive at some conclusion" as to the connection between infantile mortality and the employment of mothers. The Committee admit that "the connection between infant mortality and bad or insufficient feeding . . . is no doubt established": yet they seem to have missed the connection between bad and insufficient feeding and the employment of mothers.

I do not propose to examine the many issues raised by the industrial employment of mothers —unemployment, sweating, general influence upon wages, loss of national health, the destruction of home life with its consequences for husband and children. They are all factors which strengthen our plea for action; they are, none of them, things we can afford to ignore; but my task is already sufficient. I have promised to give proof of the influence of the mother's employment upon the life of her infant, and in giving that proof I shall use all the space at my disposal.

The evidence, both direct and indirect, needs little accompanying explanation. It is grouped in two appendices. The first contains the direct evidence, the result of inquiries in which this relationship was specifically under consideration. The second contains the indirect evidence, the result of inquiries into the comparative mortality of breast fed and artificially fed infants. The importance of the indirect evidence lies in the fact that suitable infant feeding is a greater factor in infant life than any other single factor, and that incontestably the most suitable, sometimes the only suitable, feeding is breast feeding. Breast feeding at proper intervals is unattainable where the mother is engaged in factory work. This I demonstrate in the third appendix.

Infantile mortality has many causes, and unsuitable feeding is but one. It is, however, the chief cause, and it is inseparable from factory and workshop employment of mothers. The case is not weakened because certain non-manufacturing areas produce ominous figures. It is not only the infants of factory mothers who are unsuitably fed; and a high degree of ignorance, especially if it be associated with

poverty or other unfavourable influences, may well produce a high infant death-rate wherever it be found.

But educative agencies are at work, and in all directions help is being given. Unhappily the factory mother, owing to the circumstances of her employment, stands almost entirely outside such help. During the day she is at work; when the evening comes she is too tired and too busy to welcome the teaching of the Health Visitor. Nor, indeed, is there much of it she could apply were she ever so willing to learn.

The law, as it stands, prohibits the employment of mothers in factories and workshops during the first month after childbirth. It is so worded that it is hard to enforce, but, at the best, it is a law for the mother not for the child. If the child is to be saved, we must extend the present period of prohibition until gradually this system of employment dies. Gradually, then, the proper balance would be restored; the mother would serve her children and her husband by her presence in the home, not by her presence in the factory. In that way she best serves the State; and while she passes from her place in

the factory to her place in the home, the State should, directly or indirectly, protect her, should see that she suffers no loss. The employer who withdraws her from the service of her home for his own service should insure her against the loss of those wages he has taught her to lean upon—sometimes forced her to lean upon. And the State should take charge: the children of the State are the business of the State; if it neglect that business there is nothing that will atone.

APPENDIX I

INFLUENCE OF MOTHER'S OCCUPATION

"DURING the Lancashire cotton famine, while privation increased the actual death-rate, the infant death-rate was greatly lessened owing to mothers being compelled to suckle their infants. During the siege of Paris also, while the general mortality was doubled, the infant mortality fell 40 per cent. from similar causes."

"*British Medical Journal*" *of November* 17, 1894.

"The care of the mothers at Coventry has, it would seem, counteracted some of the effects of privation, so that neglect of their homes by mothers at work in factories is apparently more fatal than starvation."

REGISTRAR-GENERAL *on effect of prostration of trade in Coventry*, 1861.

MR. BAKER (Chief of the Factory Department with Mr. Redgrave). "Very consider-

able mischief arises from women going to work, not only to the mother, but also to the child." . . .

SIR JAMES FERGUSSON (Chairman). "We may take it for granted that it is not theoretically desirable that women should go to daily work immediately after confinement, leaving the child all day to somebody else; but, practically speaking, do you think from your experience of this matter, that if Parliament interfered with it, it could be enforced with uniformity and without hardship?"

MR. BAKER. "Yes, I think it might. I think that by the visitation of certifying surgeons it might be enforced decently, and delicately, and sufficiently, so as to make it very useful."

Evidence before Factory and Workshops Acts Consolidation Committee, 1875.

". . . They know that if they put their children out with their neighbours, as it is said, to be nursed, brought up by hand, while they

are at work in the factories, there is a very great chance that they will die, and therefore they calculate that the sum which they receive from the burial club will more than cover the expense of the burial. And the deaths among the children of the operatives in the manufacturing towns amount to about 40 to 56 per cent., because they are left by their mothers at an early age, when they are only a few weeks old, and are placed in the hands of women to be brought up. They are drugged frequently with Godfrey's cordial and other opiates to keep them quiet. They are fed upon bread and water with very little milk, so that they are half starved. The consequence is that more than half of them die." . . .

"The infantile mortality has decreased so far as the mothers were enabled to remain at home to nurse their children. It is only when they are employed in the factories, away from their homes, leaving their children to be brought up by hand by their kind neighbours that they die."

MR. CURGENVEN, *surgeon, witness before Select Committee on Protection of Infant Life*, 1871.

"Many of the women are at work within a month after they are confined; the result is that the child is left at home, and it is invariably fed upon the same thing, bread, water, and sugar, and the children dwindle away, and that has to do with the infant mortality of the place. What is done with the children in this district generally when the mothers are at work? They are often left with the other children; there is no provision made, and they are very badly treated and sadly neglected." . . .

MR. FOULKES, *certifying surgeon, witness before Factory and Workshops Acts Consolidation Committee*, 1875.

"And on the other hand, it was remarkable how, in other instances, the majority of the children were reared when the mothers did not work in factories, or discontinued doing so while nursing, or when the infant's supplementary food consisted partly or chiefly of milk." . . . "All the medical men who gave evidence on the subject of the present inquiry,

besides several clergymen, ladies who are accustomed to visit the poorer classes at their dwellings, scripture readers, relieving officers, and other persons who have paid attention to the subject, unhesitatingly expressed an opinion that the system under which the mothers of young children are employed in factories and workshops away from home is a fruitful cause of infantile sickness and mortality." . . .

"Women being obliged to attend at the factory at an early hour, are always hurried in the morning, and may be seen on their way to the mills, hastening along the street, with their children only half dressed, carrying the remainder of their clothes, and their food for the day, to be left with the person who has charge of the child during its mother's absence; and this ofttimes on a cold winter's morning in the midst of sleet or snow."

DR. GREENHOW *in Appendix to Fourth Report of Medical Officer of the Privy Council*, 1861.

"The results of the inquiry may be stated as follows:

1. "The infantile death-rate bears no definite

relation to the general death-rate, but their comparative proportions to each other vary in different districts.

2. "The infantile death-rate bears the largest proportion to the general death-rate in districts where the infantile population is specially exposed to unwholesome influences, as in Coventry, Nottingham, and other manufacturing towns.

3. "The unwholesome influences to which infants are exposed in the manufacturing towns comprised in the present inquiry, may be attributed mainly to the industrial employment of married women, which leads them to consign the tendance of their infants at a very early age to young children or strangers.

4. "That infants thus deprived of the mother's care are habitually fed on diet ill adapted to their digestive powers, and are very frequently drugged with opiates, in order to allay the fractiousness arising from the illness induced by improper food.

5. "That infants in manufacturing towns where women are much engaged in factory labour are likewise exposed to other causes of sickness, proceeding from the ignorance or

carelessness of the mothers or nurses, such as deficiency of exercise and exposure to inclement weather."

DR. GREENHOW *in Appendix to Fourth Report of Medical Officer to the Privy Council*, 1861.

"In addition to showing on a very large scale those sanitary wrongs of certain sorts of industry, we had also shown as an industrial influence of very wide operation, that in proportion as adult women were taking part in factory labour or in agriculture, the mortality of their infants rapidly increased; that in various registration districts which had such employment in them, the district death-rate of infants under one year of age had been from two and a quarter to three times as high as in our standard districts; and that in some of the districts more than a few of the infants were dying of treatment which was almost murderous."

SIR J. SIMON *in* "*English Sanitary Institutions.*"

(Writing in 1897 of inquiries conducted by the Medical Department of the Privy Council.)

"Such differences, that children in some districts die at perhaps four or five times the rate of children in other districts." These wide differences of death-rate are attributed "to the varying prevalence of two local causes: first, to differences of degree in common sanitary defects of residence; . . . and secondly, to occupational differences among the inhabitants; there being certain large towns where women are greatly engaged in branches of industry away from home; where, consequently, the home is ill-kept; where the children are little looked after; and where infants who should be at the breast are improperly fed or starved, or have their cries of hunger and distress quieted by those various fatal opiates which are in such request at the centres of our manufacturing industry."

SIR J. SIMON, *Medical Officer to the Privy Council. Fourth Report*, 1861.

"In 1861 an inquiry was made into the second (hitherto the less investigated) of these two causes. It resulted in showing the very extensive and powerful operation of that

influence in several of our greatest centres of manufacture. It showed, moreover, that while, with the described circumstances, infants perish under the neglect and mismanagement which their mothers' occupation implies, the mothers become, to a grievous extent, denaturalised towards their offspring."

SIR J. SIMON, *Medical Officer to the Privy Council. Sixth Report*, 1863.

"The discovery that an enormous infantile mortality was prevailing in several purely agricultural districts suggested, at first sight, that perhaps in these districts some third sort of destructive influence was at work. And for the solution of this doubt Dr. Hunter's inquiry was ordered.

"The result of this new inquiry, however, has been to show that the monstrous infantile death-rate of the examined agricultural districts depends only on the fact that there has been introduced into those districts the influence which has already been recognised as enormously fatal to the infants of manufacturing populations—the influence of the employment of adult women. 'The opinions,' says Dr.

Hunter, 'of about seventy medical practitioners, with those of other gentlemen acquainted with the condition of the poor, were obtained. With wonderful accord the cause of the mortality was traced by nearly all these well-qualified witnesses to the bringing of the land under tillage, that is, to the cause which has banished malaria, and substituted a fertile though unsightly garden for the winter marshes and summer pasture of fifty or one hundred years ago. It was generally thought that the infants no longer received any injury from soil, climate, or malarious influences, but that a more fatal enemy had been introduced by the employment of the mothers in the field.' On this agricultural employment of women there follow identically the same results as have already been traced to results from the employment of women in manufacture."

SIR J. SIMON, *Medical Officer to the Privy Council. Sixth Report*, 1863.

PRESTON.

Explanation of an increase in the infantile mortality, while there has been a continuous

decline in the general mortality during the last thirty years.

1. "First among these causes is the employment of female labour in mills. An occupation requiring a woman to stand during the greater part of the day, when continued up to within a few days or even hours of the time of parturition, must act to the detriment of the offspring, and there is less chance of the latter coming into the world fully grown, well formed, and in good health. Many deaths taking place during the first month, which are returned as due to premature birth, immaturity, congenital debility, convulsions, and the like, may safely be ascribed to this cause.

2. "Again, the return of the mother to her work within a short period after confinement, thus depriving the infant of a mother's care and of the sustenance which nature intended for it, constitutes a still greater evil. With this is connected the nursing out of infants, which exposes them to sudden and violent changes of temperature during their removal night and morning through the cold air of the streets."

Report on Health of Preston, 1902.

BURNLEY.

"Burnley is the largest textile manufacturing town in Europe . . . and, as a larger number of women than men are employed in weaving, it follows that many infants are put out to nurse whilst the mothers are engaged in the weaving shed. When infants a few weeks old are thus put into the hands of unskilful nurses, it becomes certain that the food will be at times unsuitable, and the natural requirements of the infants not attended to. A sensible mother's care is necessary for the upbringing of a healthy child, and this motherly care cannot be obtained where mothers are extensively employed in factories. It need excite no surprise, then, that in manufacturing towns the infant mortality is large, very much greater than in non-textile towns where mothers usually nurse their own children and are not compelled to put them out to nurse."

Report on Health of Burnley, 1904.

STAFFORDSHIRE.

The excessive mortality found in twenty-six artisan towns is "attributable to the nature of

the trades carried on as affecting the facilities for the employment of women away from home, and as a consequence the proportion of wholly artificially fed to entirely or partially breast fed infants."

Class according to percentage of married and widowed workers to female population between eighteen and fifty years.	No. of Towns.	Total population 1901 Census.	Deaths of infants under one year per 1000 registered births.		
			1881–90.	1891–1900.	1901–4.
I. Twelve per cent. and over . .	5	132,299	195	212	193
II. Under twelve per cent. and over six per cent. .	13	263,868	165	175	156
III. Under six per cent. .	8	131,508	156	168	149

DR. REID *in Annual Report of Medical Officer of Staffordshire*, 1904.

"Some twelve years ago, when, in my capacity as County Medical Officer, I first had occasion, among other duties, to inquire into the mortality

returns of the various districts in Staffordshire, I was greatly impressed by a very marked dissimilarity in the infant mortality of the two groups of populous artisan towns, one in the north and the other in the south of the county, a dissimilarity which I subsequently found could not be accounted for by any apparent difference in the sanitary surroundings of the northern and southern towns. In view of the fact, however, that, generally speaking, the trades carried on in the southern group of towns did not afford much employment for women, whereas in the northern group the conditions in this respect were different, it occurred to me that in this was to be found the explanation of the high infant mortality of the northern compared with the southern towns. In order to test the accuracy of this conclusion, with the help of the District Medical Officers of Health, and from information obtained from manufacturers regarding the proportion of married women workers, I classified the purely artisan towns in the county into three groups, and obtained the infant mortality figures for previous years, in order to allow of more reliable conclusions being drawn. Since then I have continued to record the

figures according to the same plan annually, and I have now records covering a period of twenty years, and relating to artisan towns only, with a mean total population of about 529,000. One may fairly claim, allowing that the home conditions in the towns in question, in other respects, apart from the proportion of artificially fed infants, are practically identical, that records from such a large population and for so long a period may legitimately be used for our purpose from a statistical point of view, provided care is exercised in the classification of the towns in accordance with the number of young married women workers employed away from home, and who are thus prevented from suckling their children.

"In the classification of the town it was found impossible to arrive at the actual number of married women workers, but one was able to divide them into three groups, as follows:—

"1. Many Married Women Workers.

"2. A good number of Married Women Workers.

"3. Practically no Married Women Workers.

"Accepting the classification, the figures of

infant mortality in the different groups of towns are set forth in the following Tables :—

DEATHS IN CHILDREN UNDER ONE YEAR PER THOUSAND BIRTHS IN THREE CLASSES OF ARTISAN TOWNS IN STAFFORDSHIRE.

	Class I. Many women engaged in work.	Class II. Fewer women engaged in work.	Class III. Practically no women engaged in work.
Ten Years (1881–90)	195	166	152
Ten Years (1891–1900)	211	177	167

"The figures speak for themselves, and it will be noticed that while there has been a general increase in the infant death-rate, practically the same relative proportion has been maintained between the three groups of towns."

DR. REID, *Medical Officer of Health, Staffordshire County Council, in "Dangerous Trades."*

DUNDEE

"The infant mortality rate in Dundee is high. In 1904 it headed the list of fifteen principal towns in Scotland with a rate of 174 per 1000 births, Aberdeen being next with a rate of 151. The rate in Glasgow was 146 ; Paisley,

136; Edinburgh, 130. . . . The death-rate (taken per 1000 births) of respiratory diseases and pneumonia for the five years (1898-1902) is 35.3, as opposed to 25.6 for the whole of Scotland, and is the highest among the large towns of Scotland, Glasgow being 32.1; Aberdeen, 29.5; Edinburgh, 26.9. The rate of gastric conditions, diarrhœa, etc., is 37.4 as opposed to 19.3 for the whole of Scotland—22.5 for Aberdeen, 21.5 for Glasgow, 20.8 for Edinburgh.

"It may be safely assumed that the excessive rate of respiratory diseases and pneumonia is due to the fact that, where the mother is working, the baby is often taken out from a hot room into the early morning air to be left with some neighbour or at a crèche.

"The most remarkable feature in the Dundee infant death-rate, as compared with the Scottish towns above named, is the proportion of deaths due to gastric conditions. This cannot be accounted for by climate, which is favourable rather than the reverse, and the underlying cause, in the majority of cases, is undoubtedly improper feeding. The excess of deaths from this cause in Dundee may be confidently

associated with the predominance of married women's labour. It is common for the mother to return to work within a short period of the child's birth, and it is thus deprived of its natural wholesome food. If the child is still exclusively breast fed it will be insufficiently nourished, as the mother can only nurse it at night, and in the daytime at intervals of over three and over four hours respectively."

Dundee Social Union Report, 1905.

APPENDIX II

COMPARATIVE MORTALITY OF BREAST AND HAND FED INFANTS

SALFORD.

Subject of Inquiry.—Death-rate of infants per 1000 births.

Infants breast fed	128.6
Infants having breast and other food . .	190.4
Infants having cows' milk only . . .	263.9
Infants having other food (condensed milk, etc.)	439·0

Annual Report on Health of Salford 1904.

BIRMINGHAM.

Subject of Inquiry.—Death-rate of infants per 1000 births.

Infants breast fed	7.8
Infants breast fed and otherwise . . .	26.5
Infants having no breast milk	252.3

Annual Report on Health of Birmingham, 1904.

BRIGHTON.

Subject of Inquiry:

PERCENTAGE OF INFANTS UNDER ONE YEAR OF AGE FED IN DIFFERENT WAYS

	A. In 10,308 houses visited house-to-house (1259 infants).	B. Among infants dying from epidemic diarrhœa (121 infants).
I. Suckled only	62.3	6.5
Ditto and farinaceous food	12.1	2.5
Ditto and cows' milk	1.8	1.7
Ditto and condensed milk	1.4	0.8
II. Cows' milk only	7.2	36.0
Ditto and farinaceous food	7.6	9.1
III. Condensed milk only	3.1	30.3
Ditto and farinaceous food	2.0	3.2
IV. Farinaceous foods only mentioned	2.0	1.7
V. Unknown	0.5	8.2
Totals	100.0	100.0

"*Journal of Hygiene*," 1906 (*April*).

STOCKPORT.

Subject of Inquiry A. — Deaths of 116 infants from diarrhœa. Ninety-five per cent. fed wholly or partly by hand.

Subject of Inquiry B.—Feeding of 977 infants. The infants were breast fed, and only 2 per cent. were "delicate in health."

Subject of Inquiry C.—Feeding of 363 children. The children were artificially fed, and 68 per cent. were delicate.

DERBY.

Subject of Inquiry.—The feeding of 8343 infants.

Number of Children.	Breast fed. 5278.	Mixed. 1439.	Hand fed. 1626.
Total number of deaths . .	368	142	321
Number of deaths per 1000 .	69.8	98.7	197.5

The Influence of Feeding on the Mortality of Infants, 1905.

FINSBURY.

Subject of Inquiry A.—The feeding of 371 infants dying of epidemic diarrhœa.

———	Wholly breast fed.	Fed wholly or partly on artificial foods and milks.	Fed wholly or partly on cows' milk.
Total number of deaths	68	129	174
Number of deaths per cent.	18.3	34.7	46.0

Subject of Inquiry B.—The feeding of 139 infants dying of diarrhœa. "Only 22, or 16 per cent., were breast fed."

Report of Health of Finsbury, 1905.

ST. PANCRAS.

"The third or summer quarter of the year is the crucial period of infantile mortality in relation to feeding, and the following table shows the remarkable diminution during the past two years of the infantile mortality rates of St. Pancras as compared with London, the seventy-six great towns, and England and Wales:

INFANT MORTALITY RATES PER 1000 BIRTHS THE THIRD QUARTER OF 1904, 1905, 1906. ST. PANCRAS COMPARED TO OTHER LOCALITIES.

Third Quarter of	1904.	1905.	1906.	Per 1000 fall in St. Pancras during		
				1st period.	2nd period.	Both periods.
St. Pancras as compared						
with London was .	+ 24	+ 4	− 28	20	32	52
with 76 large towns was . . .	+ 3	− 11	− 46	14	35	49
with England and Wales was . .	+ 42	+ 20	− 13	22	33	55

"The measures pursued in St. Pancras have been the discouragement of the artificial feeding of infants of suckling age and the encouragement of natural or breast feeding by prompt advice and the personal influence of Women Inspectors and Women Voluntary Visitors. The efforts tentatively commenced in 1904 were pursued with greater confidence and thoroughness during 1905, and have been extended and elaborated during 1906. . . .

"The interesting point to bear in mind is that the lowering of the infantile mortality has been accomplished without the municipal distribution of milk, the Borough Council not having established a milk depôt, and no such depôt existing in the Borough, and the fall in the mortality rates must be mainly attributed to the diminished use of cows' milk for infants and the increase of breast feeding."

Report of M.O.H. upon the Infant Mortality Rates of St. Pancras, 1906.

APPENDIX III

INCOMPATIBILITY OF BREAST FEEDING AND FACTORY EMPLOYMENT OF MOTHER

ATTEMPTS are made by some mothers engaged in factory employment to feed their infants, but

(*a*) they are unsatisfactory,
(*b*) they cannot be sustained.

(*a*) The infant suffers through irregular, inadequate and delayed feeding, and through the influence of fatigue and stress upon the mother's milk; and further, when the infant is brought to the mill, or left with a neighbour at a crèche, through exposure at improper hours to inclement weather.

(*b*) Fatigue and the undue retention of milk have an unfavourable influence on the quantity as well as on the quality of the milk.

The impropriety of such attempts is demonstrated in the following Tables. It will there

be seen that the prescribed intervals between an infant's meals of from two hours to about three hours (according to age) must be seriously exceeded even under the most favourable conditions.

PERIOD OF EMPLOYMENT, 6 A.M TO 6 P.M.

(System in Lancashire.)

First spell	6–8
Breakfast	8–8.30
Second spell	8.30–12
Dinner	12–1
Third spell	1–5.30

Under this system the infant would be fed during the day at 5.30 A.M., 12.15 P.M., 5.45 P.M., the intervals between meals being six and three-quarter hours and five and a half hours.

PERIOD OF EMPLOYMENT, 6 A.M. TO 6 P.M.

(System in Dundee and Glasgow.)

First spell	6–9
Breakfast	9–10
Second spell	10–2
Dinner	2–3
Third spell	3–6

Under this system the infant would be fed during the day at 5.30 A.M., 9.15 A.M., 2.15 P.M.,

and 6.15 P.M., the intervals between meals being three and three-quarter hours, five hours and four hours.

Under each system fifteen minutes is allowed for the distance between the infant's home and the factory. This is the lowest average time it is safe to allow.

V

CHILD EMPLOYMENT AND JUVENILE DELINQUENCY

BY

NETTIE ADLER

V

CHILD EMPLOYMENT AND JUVENILE DELINQUENCY

THE last century has seen the development of two great movements having as their aim the welfare of the children. In the limitation of the hours of child labour, and the promotion of help for the delinquent and the neglected, we have two great streams of effort working side by side—effort to care for the child from the educational and physical standpoints, and effort to raise the child to a higher moral plane. The question of Children's Courts and that of child employment are therefore closely bound up together. If we are raising the mental status of the child, improving his home, improving his chances in life, preventing employment at an unduly early age, we are likely to

cut off the supply of juvenile delinquency at the source. For it is found that where we have a large amount of child labour, or a large number of children trading in the streets, there the magisterial courts receive a heavy proportion of youthful offenders. This was especially brought out at the time of the Inter-Departmental Committee on the Employment of School Children which sat during 1901. It was then found that there was a close relationship between juvenile delinquency and child employment, more especially in regard to street trading, and that the effect of stringent regulations would be undoubtedly to restrict in some measure the total volume of juvenile crime. More recently the Reports of the Prison Commissioners have contained important statements on this question, the information put forward in the Report of the Chaplain of Wandsworth Prison for 1906 being especially noteworthy. "I would once more impress upon the Commissioners the absolute necessity of something being done to deliver these poor children and lads who get a precarious living by paper-selling in the streets. We have a number here, and from what I can learn, the vast majority have

nothing before them but a vagabond life; thieving, betting and gambling seem their occupation, and they form a recruiting-ground for prison population. In my opinion not one under fifteen or sixteen should be allowed to lead the life they do, but be taken from the streets and put into some institution, to which they should be committed by a magistrate for so long a time as will enable them to learn a trade and be given a chance to earn their living, which as things are, they do not have, and cannot have. They should be laid hold of before they reach prison. By so doing, I am perfectly convinced that many poor boys would be delivered from a life of crime."

The movement in favour of regulating child labour dates from more than a century ago. At the time when factories were growing up all round the country and the newly-found water power and steam power were employed for large mills, in places where but a few years before there had been desolate mountains and valleys, the demand for labour became so great that children of the tenderest years were sent to the mills by their parents and by the poor law guardians. The guardians were glad to get rid

of their obligations in this way, and actually sold the children to the mill-owners. In the pages of the great Report of the Commission on Factory Employment terrible things are told, for as late as 1833, children worked all night, and the strap was used to make them work harder and to prevent them from sleeping. It is even said that these unhappy white slaves were actually killed when worn out and ill with overwork, in order that others might take their place. These things, most happily, have gone for ever. Factory work was prohibited at first for children under nine years, and then by a series of enactments the age was raised from nine to ten, from ten to eleven, and from eleven to twelve years, while the hours of labour were reduced from twelve to five and a half. Thus step by step the child life of England has been safeguarded.

But even at the present time, there is great need for improvement. There are more than 82,000 half-timers working in England—that is children who go to school half time and work half time in factory or workshop. The large majority of these children are employed in textile factories, and nearly the whole number

of them in Yorkshire and Lancashire. They work there under conditions which are, of course, a great improvement on those which existed forty or even twenty years ago. Quite recently I was enabled to see some mills in the north country, and some of them were quite palatial, light and airy, with the disagreeable elements of fluff and heat minimised as far as possible. Yet one feels that for small children of twelve years of age to be sent out to the factory at half past five or six o'clock on a cold, dark winter's morning, is not the way to bring up a strong and healthy nation. I was enabled to see many hundreds of half-timers, to interview them in the schools and in the factories, and I could not help being pained to see the pallid faces, the blue lines under the eyes and the shuffling gait that are the result of too much standing and over-pressure. When the children go to the mill at six o'clock in the morning, it means that they have to be up at five, for in many cases they have to walk at least a mile. From six until twelve o'clock (in some cases a quarter past twelve) they are in the factory, then they rush home, change, the more respectable of them, from their factory into their school clothes, have dinner, and rush off again in

order to be in school by two o'clock. There they work until half past four, but it can hardly be called "work." The teachers are unanimously of opinion that it is impossible to teach children who have been "doffing" or "piecing" in a mill all the morning. Many fall asleep or are almost in a comatose condition.

The Medical Officer of Bradford recently instituted an inquiry among the head teachers of schools attended by half-timers as to the effect of this work on the children. Out of fifty-two to whom the questions were addressed thirty-seven were of opinion that the children were injured educationally, physically and morally. It is very difficult to secure absolute evidence regarding this last point, but all held the view that the children grew rougher, more independent as soon as they entered the mill, and that their moral tone was lowered, while they no longer cared for school and the aims and ideals which should animate the best type of school. Educationally they lost very much more than fifty per cent. of instruction. During the weeks when they attended school in the afternoon it was found, that work in the factory during the morning caused so much physical strain that

it was impossible to develop their intellectual side. Moreover the children who go to the mill are by no means always the poorest children. Frequently they are the most capable, the healthiest and the best behaved boys and girls, and it is sad to see the deterioration which is wrought by this unnatural and overburdened existence.

There are a good many children who are outside the scope of the Factory Acts, but who, nevertheless, go to school full time and work out of school hours. The late Mrs. F. G. Hogg, a member of the Women's Industrial Council, first brought this matter to public notice. She investigated the cases of children attending some of the London schools, and discovered that many boys and girls who were going to school full time were working for terribly long hours, some beginning as early as four o'clock in the morning. Between morning and afternoon school hours they were again employed, rushing to work from school and from school to work, which continued until nine, ten, or even until midnight. Mrs. Hogg therefore gathered together a deputation, went to Sir John Gorst, then Minister of Education, who was so impressed by the facts put before him that he

consented to institute a Parliamentary inquiry on the subject. Questions were addressed to the managers of schools in England and Wales asking for details regarding the hours of work, rates of pay, the ages of the children employed, and their various occupations. A return giving particulars of 144,026 children was received, but it was manifestly incomplete. Some schools did not send any particulars where the work was not done for wages or where the managers did not think the work harmful; but, nevertheless, the facts presented showed a most deplorable state of affairs. Nearly half the children were working for very long hours, in many cases for hours which seem almost incredible—fifty, sixty, seventy hours a week outside their school time. It is terrible to think what this must have meant to children who were required to attend school twenty-seven and a half hours each week. A very large number of these children were under ten years of age. Their earnings were very small —something under one farthing an hour or less. They were being fearfully overpressed, and were unable in many instances to take any advantage of the education given to them. The

money therefore spent on their school life out of the national exchequer was being deliberately wasted. It was felt, however, that more information was needed, and an Inter-Departmental Committee on the Employment of School Children was accordingly appointed, consisting of members of the Board of Education, the Home Office, and the Board of Trade. The Committee sat during the spring and summer of 1901, took a mass of evidence in London Manchester, Birmingham, and Liverpool, interviewing managers, teachers, school-attendance officers, and employers of labour of all kinds, in fact, any one who could throw any light on the subject. The Committee on Wage-earning Children, which was specially interested in the question, presented details of 7000 cases which were investigated by members of the Committee through school managers, teachers, and social workers in different parts of the country. Nearly 4000 of these were London cases, while 3000 were sent from the country. Endeavours were made to determine to what extent this labour of children was actually needed by the family, and at the same time to demonstrate the incompleteness of the earlier

return. The Parliamentary report had shown that 4 per cent. of the total number of children in England and Wales were being employed. The Committee on Wage-earning Children were able to prove that 9 per cent. were engaged in labour, and this fact was borne out again by the Clerk to the Liverpool School Board, who showed that 8 per cent. were being employed in his city. The Commissioners therefore came to the conclusion that 200,000 children were working out of school hours for wages, and that probably another 100,000 were engaged as half-timers.

We have no reason to believe that these facts or figures were exaggerated. Quite recently, about two years ago, cases of wage-earners in individual schools were again investigated. So far as could be seen there had been little change. I visited two schools recently: in one, out of 300 boys, 60 were employed; in the other, out of 250 girls, 30 were employed. Two years ago, when the London County Council brought forward fresh evidence in support of their Employment of Children bylaws, the percentage of employment was found to be considerably higher than

at the time of the Inter-Departmental Committee. Dr. Thomas, who made important investigations into the physique of wage-earning children, found that 8 per cent. of the children in the schools visited by him were employed. His inquiries were of great value as they proved how harmful protracted employment is on children who have not yet reached maturity. He found, that of those engaged in various occupations twenty or thirty hours weekly, 81 per cent. showed fatigue signs, and 44 per cent. nerve signs. Boys engaged as shop-boys, who carry heavy weights, showed that 21 per cent. had heart trouble, while in the case of barber-boys, 63 per cent. had nerve signs, and 72 per cent. anæmia. This, of course, is an exceptionally high percentage, owing to the conditions under which the boys work; but the ordinary amount of anæmia and heart trouble found among wage-earning boys was quite serious enough to show, that if there had been a very careful medical examination at the time of the Inter-Departmental Committee—few, if any, of the children returned as wage-earners had been examined by school doctors—the employment of school children

would probably have been prohibited. A great many head-teachers did make superficial examinations at the time of the inquiry, and the results demonstrated the injury inflicted by this over pressure. Mr. Pratt, of Lillie Road School, reported that out of a roll of 476 boys he had 103 cases of overwork out of school hours and that 54 were dull or backward or of weak physique. Some sad cases were given. One boy was said to be suffering from rheumatism, contracted by taking round milk in the early morning in all weathers; another had a broken arm, owing to an accident while at work. This was not a school of the poorest class, but the children were typical products of the condition of stress and strain under which they were living.

There has been a great increase of late years in the number of street traders in London, many of them being little boys who sell papers in the City. Now, it has always been found, and all head teachers agree on this point that, directly a boy or girl begins trading in the streets, he or she deteriorates in a most marked degree, grows rougher in manner, in thought and in word. For the child comes into contact

with the ne'er-do-we'el, the incompetent and the dissolute, and hears and sees much that is evil besides. He learns all the gambling and betting news, and he soon learns to bet and gamble himself. I can think of no better sphere of effort for a religious body than to try and stop for ever this trading of young children in the streets.

Unfortunately these street traders do form a considerable body of those who become later on juvenile delinquents. Not only do we find them betting and gambling, but they get into great trouble with the police in other ways. The Chief Constable of Birmingham gave particulars to the Inter-Departmental Committee of a number of boys and girls who had been taken up by the police, and they comprised two-thirds of the sum total of young people under sixteen trading in the streets of Birmingham in a given six months. At the same time the Chief Constable of Manchester brought forward facts concerning fifteen degraded women in Manchester who had all been street traders. Street trading is a deplorable occupation for girls and should be prohibited absolutely. There are also a considerable number of children who fall into

crime when employed by shopkeepers to take out their goods. The temptation involved in dealing with large sums of money is another great objection to wage-earning for children.

We are hoping that when the London County Council bylaws come into operation, some of the worst features of child employment will be obviated. Hours are to be limited, but not limited as much as we had hoped. Work before six o'clock in the morning, is, of course, prevented by the statutory provisions of the Employment of Children Act, but the bylaws provide that no child is to work during the dinner hour or after eight o'clock at night, except on days when the school is not open. When the school is open no child may be employed more than three and a half hours a day and not more than twenty hours per week. The regulations will be stringently enforced, as their administration has been placed in the hands of the Education Committee. Street traders under sixteen years will be compelled to take out badges, and ten thousand have unfortunately already applied for them. Everything will be done to prevent girls from trading in the streets. The bylaw says that they may

trade in the company of a parent or guardian, but endeavours will be made to strengthen this restriction.

One of the reasons why many of us are so anxious to see Children's Courts established all over the country is that children frequently contravene street-trading bylaws, and we are most anxious that such cases should not be brought before the ordinary police courts. The formation of Children's Courts is likely to be extended much in the near future. In fact, all over the country a very large number of Children's Courts have been established—forty-two in all. There is now a Bill before Parliament, called "The Children's Bill" which has, as one of its principal provisions, the institution of Children's Courts throughout England and Wales. It provides that cases against children shall be heard in separate rooms and at separate times from adult cases, and that in London there shall be separate courts, presided over by a special magistrate.

There is another important point contained in the new Bill. An undesirable element hitherto in dealing with child delinquency has been the scant care taken to separate the juvenile delin-

quent from the adult criminal. Children arrested on Saturday evening were removed to a police station, and, unless bailed out by their parents, placed in a cell all night Saturday, all Sunday and Sunday night and brought before the magistrate on Monday morning. Not unfrequently they were placed in a cell within earshot of a drunken prisoner who would use the worst possible language. I am glad to say that one provision of the new Bill has made it obligatory on all police authorities to provide separate places of detention to which children can be taken on arrest. It must be remembered that a very large number of the children who are arrested are not guilty of any breach of the law, but are merely the unfortunate offspring of ignorant and dissolute parents, and have been found wandering with no visible means of subsistence. And as for the juvenile offender, he is nearly always the unhappy product of his environment. If we deal with him on wise lines it is possible to prevent a great deal of child delinquency. At Birmingham, for instance, where a Children's Court has been in existence for the past two years, the number

of children sent to the local prison has fallen from 166 in 1904 to 20 in 1906–7, while no children were sent to prison last year. We only need to compare these figures with those of Newcastle-on-Tyne with half the population of Birmingham, but which has no children's court. 159 young persons were lodged in gaol by Newcastle magistrates in 1905–6, and 120 in 1906–7. An excellent provision of the Children's Bill is that the sending of any child under fourteen to prison will be prohibited in future, and in fact, only in the rarest cases will children from fourteen to sixteen be dealt with in this way. Both chaplains and governors have over and over again filled pages of the Reports of the Prison Commissioners with protests against the horrible custom of sending young people to prison, often only for a few days, in default of payment of a fine. Boys under sixteen have been known to have forty convictions registered against them, and to have been in prison thirty times within two years for offences which were chiefly breaches of municipal bylaws or of gaming Acts.

But we hope this procedure will soon be a thing of the past and that we shall have Children's

Courts established all over the country with separate places of detention for young people awaiting trial or on remand.

Another valuable means of dealing with juvenile delinquents, especially young street traders who are drifting into crime, is the probation system, established by the law of last year —the Probation Act. By this enactment, officers, called Probation Officers, may be appointed in connection with each police court to look after young persons, adults or childen, who may be discharged by the magistrates with or without a conviction. In the case of children, special officers are to be appointed, who should, where possible, be women of education specially interested in and with a considerable knowledge of child life. They may be placed in charge of a child for a period of not less than three months. It is quite possible under the Probation Act to control nearly all forms of juvenile delinquency, so long as there are possibilities in the home, but if the home is so neglected or so immoral, or so drunken, that all effective supervision is impossible, it is very much better to send the child to an Industrial School. But "to renovate unfit homes" has been the

keynote of all American probation work, and I hope it will be the keynote of our own. Of course, if you can improve the home at the same time as you are helping the child, you are benefiting the other children of the family and also the parents. With the older children, even yet more can be done, and a great deal has been accomplished by a Manchester boy's club in finding work for street traders, some of whom have been in police trouble. The members of the club are taken off the street and regular employment is provided for them.

Now that careful medical inspection is becoming an increasingly important factor in the life of our schools, it is to be hoped that we may be able more often to discover what are the true sources of juvenile delinquency. If we can secure the full co-operation of the school-doctor, the teacher, the school manager, and if necessary of the magistrate and the probation officer in the work of helping the child, may we not look forward to the growth of a nobler and a more vigorous race, children who will be able to maintain worthily the highest ideals of the nation.

VI

FACTORY AND WORKSHOP LAW

BY

A. M. ANDERSON

H.M. PRINCIPAL LADY INSPECTOR OF FACTORIES

VI

FACTORY AND WORKSHOP LAW

1. Development of Factory Law

One of the most striking and suggestive features of the position of factory law at the beginning of the twentieth century lies, I think, in the measure of public sympathy and support that has been growingly available for it; a growth recently even more rapid than the growth of complexity in the law. The broadening-out of the field of regulation has gone forward with increasing specialisation of manufacture and industrial life, and yet not only workers and the outside public but also employers have come to lean more and more on its powers to introduce order into industrial life and work.

The alarmed opposition of those who, from

the beginning and onwards, believed their interests threatened has generally yielded on a closer acquaintance with the meaning and effect of this body of law. It seems that we may not unreasonably look for this process to continue. As regards all the great organised manufactures, the sometime violent spirit of opposition that met the early inspector, the human representative of the guiding and controlling idea of the law, is now difficult to realise.

Let me try to characterise in a broad way that guiding and controlling idea.

We may fail to grasp the ultimate meaning of this branch of labour legislation if we rigidly restrict our outlook to the British Factory Acts of the past hundred years. If only for a moment, we must remind ourselves that, however remarkable and individual their early development, however new the industrial life in which they arose, they yet have their counterpart struggles, and movements and codes of other centuries and other countries.

The greater numbers of mankind have always had to "learn and labour" to get their "own living" and to provide the necessities and

superfluities of whatever commonwealth or civilisation they were in. Abuses and difficulties have arisen and organisation and regulation of some kind or another have been found necessary in what was felt, for the time being, to be the primary interest or need of the community.

At one time the prevailing aim was the maintenance of a high standard of quality in production; at another, repression of any sectional or individual tendency to make an exceptional profit through the necessity of others—at that time "buying in the cheapest, selling in the dearest market" was an offence against the social code; at another time self-sufficingness in production of localities or nations was the ruling aim. Probably the one aim above all others which has openly or secretly dominated the longest periods of time has been the desire to secure the largest amount of production obtainable from labour; this is almost without doubt true of most periods where bond or slave labour largely prevailed.

Although we find an extraordinary contrast of standpoint in the English labour legislation of the fifteenth to sixteenth centuries and the nineteenth to twentieth centuries—the first

compelling a minimum labour day and prescribing a maximum wage, the latter prescribing a maximum labour day and beginning to discuss methods of establishing a minimum wage —we must not hastily assume that the comparative material comfort of the labourer, according to the wants of his time, are equally contrasted. Another dominant factor has meanwhile entered in: the application of power to the tool and machine. A new and undreamed of intensification of production became, almost suddenly, possible; but, alas for humanity, a new way of subordinating the personality of the labourer, and most of all the youngest and weakest of them, on a large scale came also into play.

"I tremble to think," said Arnold Toynbee, "what this country would have been but for the Factory Acts." I am not going to take you step by step through that terrible, oft-told tale of the horrors and miseries that did in fact grow up as these new forces came rapidly, at a time of exceptional poverty and distress, into operation. It can be read in the text-books and Blue-books.

The main issues for my story that I want

you to hold in mind, came together in the development of a new widespread impulse towards care and pity for human life, a new humanitarian movement in the eighteenth century, and in the later rise of the factory system towards its close. This new spirit was so intense and so remarkable that it was almost as if the eyes of the blind were opened and the ears of the deaf unstopped to old sights of misery and old sounds of human pain. It strengthened itself first in combating age-old evils: in the criminal law, in prisons, in slavery. And thus it was ready for a new cause of battle when another anti-social force came freshly into view. And the great strength of the factory reformers lay in the utter, manifest helplessness of the little children, who were the most obvious victims of the factory system. First, under their care came the pauper apprentice, then more generally the children of the labouring poor. In those days arose the instinctive, defensive effort to turn back the tide of injury to health and morals in the children; only by degrees and later came the natural sequence of a constructive endeavour to guide factory life as a whole into safe and reasonably hygienic

conditions and to prevent causation of disease and social injury by industrial conditions.

Now this is the guiding idea that I have been trying to come to. This, I think, is the distinguishing characteristic of the modern law relating to factories when we contrast it broadly with all previous history of Governmental regulation of industrial activities.

Bearing this idea in mind and glancing rapidly over the myriad perplexing details of Parliamentary inquiries, Reports of Royal Commissions, debates, legislation and subsequent administration from 1800 to 1907, I think I see a succession of periods, in the progress we wish to survey. There is nothing rigid in the limit of these periods, but it is noteworthy, as to the outstanding features, that about every fifteen to twenty years, more or less, some fresh distinct step in legislation asserted itself and led in turn to further developments. As fast as one evil was taken in hand administratively for solution so fast public attention was set free to busy itself with others that had been barely observed before or observed only by the expert few. As time has gone on, more and more has been built upon the experience of methodical adminis-

tration. Turning from the stages of Legislation I looked into the steps leading to our modern Inspectorate and found a kind of intervening rhythmic beat of development.

The progress may almost be set out in a rough table.

A. LEGISLATION.	B. ADMINISTRATION.
1. 1802: Health and morals children, apprentices, in cotton mills—largely educational.	1. Justices of the Peace. "Visitors," 1802–1833.
2. 1819–1833: Health of young workers in textile factories.	2. 1833: Inspectors with magisterial powers.
3. 1842 and 1844: (*a*) Prohibition of employment of women underground in mines, followed by (*b*) First regulation of hours of labour of women in textile factories—half-time system—penal compensation for certain accidents.	3. 1844: Inspectors without magisterial powers. Certifying surgeons.
4. 1860 onwards: Application of new scientific ideas in sanitation and safety. Extension to most manufacturing industries of Factory Acts.	4. 1844 – 1870: Sanitary Commission and expert medical reports to Privy Council on industrial mortality and disease.

A. LEGISLATION.	B. ADMINISTRATION.
5. 1878: Consolidation of Factory Law.	5. Re-organisation and centralised control of inspectorate at Home Office.
6. 1891 – 1895: Economic questions enter: piecework, sweated out-work. Dangerous trades: special rules.	6. Appointment of women inspectors, 1893, of medical inspectors 1896, and onwards.
7. 1901: Consolidation. Improved regulations dangerous rades.	7. Development and extention of staff, 1900–1908.
8. "General Restriction" section of the Children's Employment Act, 1903. Charitable Institution Laundries 1907.	8. Development and extension of staff, 1900–1908.

A. *Legislation.*—Until one attempts to disentangle and classify stages there seems to be something almost mysterious in the origin of the great modern codes of Factory Legislation. Here they begin, in England, at the outset of the nineteenth century and they spread over the chief European industrial countries after the middle of the century, while in the remotest British Colonies they are to be found growing

up on the broadest lines with the very commencement of local industrial life.

A certain strong sentiment, or public opinion, in all the democratic countries initiated the legislation, and in England it arose, as I have said, in a vehement desire to protect young workers. It would be a mistake, however, due to a narrow reading in history of social conditions, to imagine that abuses of child labour were not occurring even in domestic industry much before the close of the eighteenth century; and it is probable that to some extent these abuses may be connected with laws and customs springing from an older sentiment in favour of encouraging and enforcing habits of labour and industry among the poor; including even very young children. The disadvantages and possible evils of such a policy were not widely apparent in an industrial system that went on mainly in small workshops and in workers' homes. The outlook was different when gangs of pauper children had been, for some time, consigned in larger and insanitary buildings, to the care of irresponsible masters faced with the possibility of large new profits in a generation strongly fortified with maxims

pointing to the supreme social value of hard work.

In both systems, *i.e.*, the Domestic and the Factory system, disinterested intelligent onlookers near enough to see what was really happening to the individual children could see quickly that gross injury was being done. Individual Justices of the Peace (playing as they did a large part in local administration) could and did make attempts to lessen and control abuses here and there. General control could apparently, however, only spring from illustrations of a suffering that itself gave rise to fresh risks. The conditions were so dreadful in their concentrated form that epidemics of dirt and famine disease in the mills gave to the general public a danger signal of the evil in their midst. And so the first limited attempt at a legal remedy for the overwork of apprentices was applied in the Health and Morals Act of 1802.* As for structure, safety, and

* *Child Labour.* In most of the reports of Commissioners on conditions of labour since early in the nineteenth century it has been clearly established in all classes of trades that parents as much as other employers have been responsible for illegal and excessive employment of children.

In 1831 employers other than parents were protected

sanitation of the mills, which claim so large a share of the modern Factory Inspector's attention, knowledge was not sufficient then to deal with such questions; still the very title of the Act seems prophetic of developments of our own time. It is strange to think how very long some of the old, bad, structural conditions could linger, and that quite recent illustrations can be given of the spur towards reform afforded by outbreaks of illness. Even in the late nineties, and longer, primitive structural conditions with insanitary arrangements in old mills remained that without any other cause could account for the fevers that did so much to hasten legislation in 1802. I remember my first, for some weeks apparently fruitless, efforts to secure re-construction in such a case. The owners of the mill resisted and the local authority delayed to enforce their necessary notice for abatement of the nuisance. A

against legal responsibility for too early employment of children due to falsification of certificates of age by parents or guardians.

In 1833 parents of a child or "any person having benefit from the wages of such child" were made to share responsibility for illegal employment outside prescribed hours or without school attendance.

sudden change in the situation somewhat illogically arose with an occurrence of several cases of small-pox amongst the workers in this mill. My case was taken before the magistrates, an order promptly made by them which embodied everything I had pressed for, and entire re-construction of the parts in question on modern lines was completed in due course.

If the lack of suitability in many arrangements for women workers could be so evident as is reflected in the published reports of the Women Inspectors in the close of the nineteenth century, one can have some measure of what it was in other directions that the early factory reformers had to fight for (and against) on behalf of young workers in the beginning of that century.

Before lightly touching on the successive stages sketched for consideration in the Table, I ought to warn any one who is not familiar with the history of Factory Law that it is no more than a sketch, based on my own idea of the way of looking at it as a whole. There have been not less than forty-two Factory Acts between 1802 and 1907. The Legislature

certainly paid tribute to the industrial character of England in the amount of time and thought given to this one branch of social regulation. Those who are curious as to details can find them by consulting the long list in Misses Hutchins and Harrison's "History of Factory Legislation," but for the general inquirer not more than twelve of them are important: the Acts of 1802, 1819, 1833, 1844, 1847, 1860, 1864, 1867, 1870, 1878, 1891, 1895, before the two Acts of this century, 1901, 1907.

The second head in the first column of the Table is only significant, in our present rapid survey, because the principle recognised of the protection of the weak by limitation of hours and prohibition of night work was extended beyond the narrow special class of apprentices thought of in 1802 to the young workers, generally, in cotton mills. The limit was not better than twelve hours in the day, greater by two hours than was actually enforced by some Justices of the Peace in the indenturing of apprentices, or practised by an enlightened manufacturer such as Robert Owen, who worked hard for better legislative control. And, although children under nine years were

excluded by the Act of 1819, still very long hours were possible for those over nine.

The third head in the first column of the Table is doubly significant because it touches (*a*) On the influence of a new step in another branch of legislation, then just beginning—Mines Regulation, leading to (*b*) Regulation of Women's labour in textile factories.

A theoretically less weak class than the children came thus under defensive protection. At the same period children's hours spent in the mills were considerably reduced, even if work-time was not, by the half-time system, and general protection against accidents began to come into view.

The fourth head shows an important widening out of the defence against insanitation and insecurity, and the fifth head takes us to a period of consolidation following a wide survey of the conditions in manufacturing industry. Here one sees a kind of half close to the periods of sheer defence of the very weak against the most serious injury from overwork, insanitation and dangerous machinery. The great Act of 1878 stands in its effects mainly I think as the unifier of the maximum working day for

young workers and women and the simplifier of exceptions for special cases and of definitions. Although some of the earlier Acts were quite as strong—sometimes rather stronger as regards particular trades—still there was no standard working day throughout non-textile trades, and it was shown that there was some placing out of work in smaller and less strictly regulated workshops. The simplification of definitions and administration, the summarising of sanitary and fencing provisions and of the requirements as to physical fitness for young workers, all were a gain. Much altered since then are the *methods* of controlling sanitation in workshops, reporting accidents, provision for security and regulation of dangerous processes, limitation of overtime and other matters, but the new departure lay on the social and economic side, as, for example, in the beginning of control of outwork, provision for particulars of work and wages to piece-workers, regulation of employment of mothers. These appear in the stages numbered sixth and onwards in the Table. While the entirely new questions were coming in, constructive efforts on a scientific foundation were being made to control health and safety.

B. *Administration.*—The successive stages in development of the Inspectorate, as we now know it, may be first surveyed as a separate parallel series, although closely connected with development of the successive Acts of Parliament.

As regards the first stage, the great part once played by Justices of the Peace in local administration ought to be taken into account in any explanation of the lapse of over thirty years before special Inspectors to enforce the law were appointed. There is, however, another consideration of importance in my point of view. The law in its origin was a measure of public security and order, defensive in character when socially considered. It was most obvious and natural that so long as this character was the main one of the law the magistrates should be responsible for seeing it enforced. Besides that, we must not forget that since before the days of Elizabeth the magistrates had the duty of framing wages scales, and other conditions of labour, in addition to enforcing the duty of labour on all labourers. So long as a small class of children, in a branch of one industry alone, came under

the law the novel idea of a special government officer to enforce the law could hardly appear. In the second stage, when the extent of applicability of the law increased and the loud complaints of its general neglect grew, it became evident that the matter lay beyond the control of the magistrates. Most naturally, when the new officers appointed by the central authority and charged with the duty of regular inspection of the factories were thought of and first appointed as a substitute for Visitors appointed by magistrates, the powers given them in a considerable degree resembled magisterial powers. They could administer oaths and make such rules, regulations and orders as were necessary for execution of the Act and could hear complaints judicially and impose penalties under the Acts.

Ten years later, under the third and fourth stages of my Table, sufficient experience had been gained to show the advisability of separation of these judicial and inspectorial functions. The Inspector became really an expert Visitor, competent to observe and criticise conditions systematically and to collect evidence for presentation if necessary before the ordinary

Courts. As his judicial functions were withdrawn, his capacity to act as adviser, whether to employers or workers, or to the central authority, or Parliament, was indefinitely extended. Now came the time when, with the help of medical men as Certifying Surgeons or as Sanitary Commissioners or as Board of Health officers, the Inspectors' Reports could begin to become a real factor in informing public opinion as to the deeper aspects of what was going on in the industrial life of the country.

In the Fifth Stage—when eventually the law was consolidated for manufacturing industry in the great Act of 1878 (which is the backbone of all the defensive work of our existing law)—it was necessary that the Inspectorate should be reorganised. For twenty-five years the organisation, which was of a pioneer character, had served the country well, but the natural growth of the staff and the complexity of the work made increased central control indispensable. The early struggles of the Factory Inspectors to enforce the law were not only with manufacturers but also with parents of children illegally employed and often with operatives,

acting sometimes as sub-employers. They were not only, so to speak, *health and safety and employment Inspectors*, but they were, to an extent now difficult to realise, *education Inspectors*. Perhaps their biggest task for long years was enforcement of the school attendance and other conditions of the half-time system. Before the elementary education Acts they had to test efficiency of elementary half-time education. Their task seems at a glance to have been complex enough and yet the days of greatest complexity, requiring organisation and specialisation of function, were yet to begin in the days which I have marked as our Sixth Stage. This is really the last and probably the most important stage and one which is still with us.

As soon as the hygiene and safety of industrial life became based more and more on expert and scientific ideas, and the intrusion of an economic order of ideas began, the character and methods of inspection were bound to change. Not only had the complexity of legal and other technical questions to be brought into closer touch with competent (legal and other) opinion at the Home Office but also the demand for Women

Inspectors on behalf of women workers had become irresistible. Closely following, came response to the demand for centralised medical guidance in the work of controlling dangerous trades. It was certainly an enormous gain to administration and consequently to subsequent legislation that specialised knowledge and experience for various departments should become available. Assistant industrial working men Inspectors were demanded and appointed. Clearly, for the experience and usefulness of Women Inspectors nothing has been of greater consequence than the widely spread area of their work. Their number being few and the claims made on them many and variable all were liable to serve in any direction. Comparative knowledge of women's industrial conditions grew up rapidly. Their position in some ways resembled the pioneer field of work of the earliest Inspectors, although of course it had entirely distinct characteristics. Owing to their freedom of movement it became possible for these women to specially concentrate their attention in quick succession on some of the most pressing of the matters specially affecting women and girls. Of these I can only name a

very few: excessive overtime in seasonal trades and in dealing with perishable products; overtime generally for young persons; work at home at close of legal day; complaints of incalculable changes in piece-work wages and of excessive and unreasonable fines and other deductions from wages; various matters bearing specially on women's health moral and physical, and perhaps especially employment in lead industries; employment of mothers and infantile mortality; accidents and overstrain in laundries, fruit preserving, aerated water making and bottle washing. While these and many other inquiries were in progress they were investigating the steadily rising number of complaints and representations made to them by working women. In 1892 one of H.M. Inspectors in evidence to the Royal Commission on Labour said that working women rarely complained. After appointment of H.M. Women Inspectors the volume of their complaints rose from 380 in 1896 to over 1000 a year in 1904 and onwards.

The gain and advance in having expert medical and other inspection at the service of the Factory Department needs no emphasis, and it is abundantly clear from the official reports that a

complex law for attaining industrial health cannot be developed or enforced without medical aid.

In general the position and influence of the inspectorate has immensely changed. Instead of being in principle a kind of magistrate or magistrate's agent they have become in principle largely a kind of general skilled adviser, a kind of human dictionary in matters of industrial health and standards. While the Department has, of course, to enforce the existing law there is also an increasing tendency of the public to lean on the Department for interpreting the law.

This, of course, appears in the law itself with its increasing relegation of complexities to Secretary of State's orders. Administrative orders can adapt the principles of the law to varying circumstances. But even beyond this there are extra-legal requirements of health which until a law can be formulated are matters of advice by the department.

II. The Present Factory Law, 1901-1907.

Great changes were wrought in the effect of the Act of 1878 by a succession of Acts from

1883 to 1895 and again consolidation became necessary in 1901. An adequate account of these changes cannot be given in the time at our disposal, but some have been just indicated and the most important to be borne in mind are: (1) Transference of control of the sanitary requirements in the multitudinous workshops to local Public Health Authorities; (2) Commencement of regulation of various dangerous trades by special rules and improved provisions for security against accidents; (3) Fixing for the great cotton cloth industry the standards of ventilation, temperature and humidity; (4) Commencement of supervision of the conditions of outwork; (5) Raising the age of employment of children and exclusion of young persons from ordinary overtime; (6) Prohibition, in principle, of the employment of women for four weeks after childbirth; (7) Tentative, partial application of the law to trade laundries; (8) Provision for such particulars of work and wages to piece-workers as would enable them to reckon before beginning work what wages are due to them on completion.

Probably the most important changes actually added by the Act of 1901, which was in the

main a consolidating Act, lay in the improvement of procedure for framing regulations for dangerous trades and in giving the Secretary of State powers to fix a standard of ordinary ventilation in any industry, and a standard as to sufficient and suitable sanitary accommodation. Certain additional provisions were made for safety, and out-workers as well as persons employed in factories and workshops got a title to particulars of work and wages. The Act of 1907 is mainly a laundry regulation Act. It deals not only with ordinary laundries for cleansing of linen, as distinct from manufacturers' laundries, but also with a class of trading laundries hitherto outside the law because they carried on work only by the labour of persons living in charitable, reformatory or religious institutions either for reform of character or for charitable maintenance. The workers here were not offering their labour as in general trade laundries under an ordinary contract of hiring. It was felt that the conditions were exceptional, and a claim was made and recognised by Parliament for exceptional variations in the mode of conforming to standard hours of work and holidays, use of notices and abstracts

and examination of young workers for physical fitness. The exact numbers of such places and the numbers working in them are not known, but it is improbable that they exceed 400 workplaces. Very few of them have large numbers of workers and some are very small. It is evident that, however important in a social sense, we are here dealing with a question that is not directly economic and with a section of workers outside the great stream of development of the Factory Acts.

Before turning to a brief, summary estimate of the general effect on women's work and wages of the regularisation of the conditions of their labour that has been gradually attempted by the Factory Acts, it seems necessary to point to the main features of the law as it now stands.

The workplaces to which the law applies are: (1) As a whole to Factories, workshops* and laundries; (2) As regards *safety* provisions, to a group of industries outside the scope of women's work, namely Docks, Wharves, Quays,

* Broadly the distinction between a factory and a workshop is the use in the first of motor power in aid of the processes, whereas in the latter the manual labour is unaided by power.

Warehouses, Buildings, Railways; (3) As regards *sanitary* control and piecework clauses to Home-work, and in regular Domestic workshops to partial limitation of the hours of child labour.

Under the first head we must keep distinct in our minds, (*a*) Women's workshops where no young workers are employed and a slightly more elastic arrangement of hours is permissible than in ordinary workshops; and, (*b*) Men's workshops which are outside most of the provisions of Acts but come under the provisions for safety and regulation of dangerous processes. With these roughly indicated limitations, the persons to whom the whole law applies are: children from 12 to 14 years, young persons aged 14 to 18 years and women above 18 years. The occupier of the workplace is generally responsible, though in certain circumstances the actual employer has the responsibility for carrying out the law.

In the forefront of the law stand the provisions for cleanliness, health and safety which apply to every class of worker in factories generally, and which, therefore, so far as they affect work and wages by preventing injury

and promoting health, have not a separate significance for women workers.

To sum up this part of the law in the briefest way: Every factory must be kept in a cleanly condition, free from noxious effluvia, provided with sufficient and suitable sanitary conveniences, ventilated both generally and so as to remove dust, gases, fumes, and be provided with sufficient air-space; nothing is laid down yet as to the important element of light, but the Home Office commends this matter to the attention of occupiers. In workshops these matters are broadly provided by the law of Public Health. Other general hygienic provisions in regard to both Factories and Workshops are for a reasonable temperature and washing conveniences where poisonous substances are handled and drainage of wet floors. For Bakehouses and Laundries some further health precautions are required. The safety clauses provide for security in the use of machinery and motor power and aim at preventing accidents, not only by proper guarding and position of machinery but also to a certain extent by limitations with regard to persons who may work in certain positions or at certain

occupations. For example, no woman and no girl or boy under 18 may clean mill gearing in motion nor may any child clean machinery in motion. The important provisions for escape in case of fire have no special significance for the subject of this paper, nor the valuable provisions for increased knowledge of risks through the reporting of accidents and industrial poisoning.

Broadly, one may say that there are two main lines for maintaining by Factory Acts the general health of industrial workers. The first, thus hastily touched on, lies in ordering external conditions, the other, at least equally important and of earlier origin, lies in care for the resisting power of individual workers. Under this latter head fall the provisions for (*a*) excluding the very young from industrial toil, (*b*) for inquiry into physical fitness of workers and for (*c*) limiting hours, periods and spells of employment and providing for pauses and holidays.

Without doubt the whole of the law has very strongly affected, either directly or indirectly, either defensively or constructively, the conditions of women's employment together with those of men and young workers, and this would be true even where the provisions touch

any of the classes only indirectly. We are, however, concerned at this moment mainly with Women's employment, and it is unnecessary to touch on questions of half-time employment or physical fitness of persons under 16 years of age. Regulations as to physical fitness touch women in two ways, either as mothers of infants under four weeks old or as employed in a process certified to be injurious or dangerous and under special regulations. Women are positively excluded (for reasons of special physical unfitness) from working in certain processes in the manufacture of white lead and in brass-casting; and in various other processes, for example dipping, 'ware cleaning, majolica painting, in earthenware and china works, they are subject to monthly medical examination and suspension or exclusion if showing liability to industrial poisoning.

As regards hours of employment, the provisions touch both ordinary and exceptional periods, meal times and holidays.

The outside limits of ordinary periods are nearly the same for textile factories, non-textile factories and workshops. The main difference lies in requirement of not less than

two hours' interval for meals in twelve hours of work and spells limited to four and a half hours, a longer weekly half-holiday and a prohibition of overtime in textile factories, compared with a total one and a half hours meal times in the twelve, and spells limited to five hours and conditional overtime in non-textile factories and workshops. The hours of work must be specified, between 6 A. M. and 6 P. M., 7 A. M. and 7 P. M. in all classes with addition of 8 A. M. to 8 P. M. (or under Special Order 9 A. M. to 9 P. M.) in non-textile factories or workshops. On Saturdays in all textile factories work must cease at twelve, if it began at 6 A. M. and if at least an hour is given for a meal. In non-textile-factories and workshops work must cease at 2, 3 or 4 P. M., according to the hour of beginning, 6, 7 or 8 A. M. Overtime regulations are elaborate; in most of the women's trades (other than textile, in which no overtime is allowed), a limit is imposed of thirty occasions of overtime in the year and not more than two hours on any one date, of which half an hour must be deducted for a meal. For perishable products, *e.g.*, fish and fruit, unlimited hours are allowed at certain seasons. Overtime may be

applied to laundries, but the Act of 1907, while bringing them under the general law, gave peculiar facilities to laundry occupiers to fix different periods of employment for different days of the week and to make use of one or other of exceptional methods of arranging the daily periods so as to permit periods of different lengths on different days of the week without such overtime as is permissible under the general law. As regards charitable or reformatory institution laundries, while these may be under special schemes for hours, meals, holidays if approved by the Secretary of State, still these schemes must not be less favourable than the ordinary working of the Act, and such schemes must be laid as soon as possible before both Houses of Parliament.

One other matter in the general law that I must touch on as peculiarly affecting women and girls (though applied to all classes of workers), are those for securing that the amount of wage agreed upon shall be received by the worker. (*a*) Every Act relating to inspection of weights, measures and weighing machines for use in sale of goods is made applicable to those used in factories or workshops for checking

or ascertaining work and wages of persons employed; (*b*) Piece-workers in the textile trades or any other specified by Order of the Secretary of State shall receive, before commencing work, clear information or particulars of the work to be done and of the piece-rates applicable. The power to extend the provision with modifications suited to varying circumstances covers home-workers as well as workers in a factory or workshop, and Orders have extended this highly valued protection to workers in most of the trades which employ the greatest number of women and girls. Making of *wearing apparel* generally, *wholesale tailoring*, *boot-making*, *hat-making*, *umbrella-making*, *brush-making*, various *hardware and metal trades*, *e.g.*, pens, locks, chains, nails, *fustian cutting*, *paper-bag making*, and a number of other piece-work trades are covered. The amount of wages is not at all (directly) regulated, but the worker is given some security against misunderstandings, careless mistakes and fraudulent mistakes in payment of wages for work done. The very certainty, before work is begun, as to the amount payable tends indirectly also, however, to secure workers against arbitrary and sudden drops in piece-rates.

III. Effect of Factory Law.

The mere statement in the briefest way of the rise of Factory Law and of its present main provisions is enough to show that its primary object of checking evils and abuses, and its secondary object of leading or pointing the way to industrial health, are to some extent attained or in the way of attainment. Fairer distribution or possibly less unfair distribution of some of the necessary conditions for securing some joy in labour have been attempted by the Legislature, and the reports of the Factory Inspectors show that, in spite of many and grave failures, there has been on the whole advance.

As regards the failures, in a broad estimate it seems very significant to me, that out of the many complaints sent by workers to women Factory Inspectors in those touching matters outside the present Acts, the great majority, year by year, refer first to various *wages* questions, secondly to *hours of labour* that are felt to be excessive. These are evidently now the matters that working women themselves still feel as standing most in need of further remedy; also apparently they feel that a remedy can and

ought to be attempted through the law relating to factories.

For many years there was a political movement against special protection (restriction it was sometimes called) in conditions of industrial employment of adult women apart from adult men. It was urged persistently that such measures must tend to handicap women in the growing competition for employment in trades largely dependent on unrestricted men's labour. This argument allied itself with the individualist and at one time "orthodox" economist's view in favour of the greatest attainable freedom of trade and industry from Government regulation. In its earlier strength it was met, and to a considerable extent borne down by the counter movement of the humanitarian feeling. In the later stages it was often pointed out how naturally distinct the main directions of employment of men and women in fact were; that to men fell the heavier, engineering, constructive, machine-minding trades; to women the lighter, more delicate operations in industry. And it was argued that in their natural distinctness of avocations it was possible to regulate women's labour apart without hampering them in an

economic sense. It was pointed out further that better and more easily organised men had their own characteristic method of securing regulated conditions by negotiations without Government intervention. Direct arguments for regulation of women's labour in the interest of the community were in this controversy on the whole strikingly little used, and where the idea was present, it was more tacit than expressed.

To the general tendency for men and women to follow separate trade processes there were too many obvious exceptions to let the main line of argument be conclusive and satisfactory to those who opposed limitation by law of women's hours, and the controversy continued in some strength down to the time of the debates on the Act of 1901. Its strength can be gauged by the effectual opposition to the complete application of that law to the large and important outstanding women's industry in laundry work. In response to appeals for a thorough scientific investigation of the whole question of the economic effect for women of the Factory Acts, the British Association for the advancement of Science appointed a Special Committee

to make such an inquiry. It was a widely representative committee, while including also eminent economists and statisticians. The inquiry took nearly three years, and eventually a report was signed in 1903, which was practically unanimous, for there was only one dissentient to three out of twenty-one paragraphs containing the conclusions of the Committee. The Committee was expressly concerned only with the economic effects for women of those parts of the Factory Acts which have applied to the work of women, regulations which do not apply to the work of men. The one dissentient to the widest conclusion of the Committee: that "the benefit which the Acts have conferred are in the long run great and out of all proportion to any inconveniences or injury they have caused," made it clear that while dissenting to it in its special application, she held that "the statement would be true enough if made of factory legislation generally." The Committee was not concerned to estimate either the social or economic gain for women through those parts of the law which secure improved external hygiene and good structural conditions, and it seems certain that on this there would have

been entire unanimity as to the greatness of the gain. The very limitation of the scope of their conclusions gives additional interest to many of them. As regards *hours of work* (which working women evidently still feel in many cases to be too heavy), they found: that the Acts had reduced and regularised them, and that, while the maximum allowed is in general greater than the number worked by men in trades regulated by Trade Union agreement with employers, but for the legal restriction the hours of women "would often be lengthened against the will of the majority of all concerned." As to the effect of this regularisation of hours, the Committee pointed to evidence that it had promoted the efficiency of women as productive agents; and they declared that the information as to the general demand for women's labour did not show any appreciable change traceable to the Acts, and that as regards *rates of wages* and allocation of work between men and women, the limitation of women's employment had been at the utmost among the less important of the determining factors.

VII

LEGISLATIVE PROPOSALS

BY

CLEMENTINA BLACK

VII

LEGISLATIVE PROPOSALS

ONE of the most serious evils existing in our own country, and indeed in all modern countries, is the wretchedness of people who have to live by their labour, and who have no such monopoly as is created by natural endowment, by specialised skill or by educational acquirements. Especially wretched are women workers who are in this position, and among them the very hardest lot falls to those who are attempting to be at once housekeeper, mother and wage-earner. Of course they fail. No human creature could succeed. The mere business of being a poor man's wife is enough to occupy all the brain and all the energy of the strongest and ablest woman. To clean, to wash, to sew, to purchase, to cook for half a dozen people, and to do all this effectually out of a weekly

income of 30*s.* or less, is a task that the most highly trained among us might be proud of having fulfilled. Add to this the fatigues of frequently recurring motherhood and the care of a family of children in a very limited space; then, add, yet further, many hours a week of work at some such trade as shirtmaking, or boxmaking, or artificial flower making. Can our imaginations realise what life in such conditions means to a woman, the monotony, the drudgery, the ceaseless fatigue, the unending recurrence of unavailing effort? The house of such a woman is never really clean; the time that ought to go to scrubbing and sweeping cannot be afforded. Her children are neglected; she is so busy earning a few more pence for them that she has no leisure to look after them; she is the bondslave of her sewing machine or of her glue-board. But her work for money is not neglected. That must be up to a certain standard or it will be rejected. I have known of a parcel of matchboxes sent back because the paper of one box was torn. Some of those very matchboxes may have come into your house or mine. Boxes for wedding cake are sometimes made at home, and not the tiniest smudge or spot must mar

the satiny white surface. Some smiling bridesmaid puts up cake into that pretty little receptacle; some interested recipient draws out the cards and the cake; the box is tossed into the waste-paper basket; no one thinks of the tired woman at the other end of the chain, tired but attentive, folding and bending and pasting, hour after hour till late at night, week after week, month after month, doing always the same thing and never earning enough to know comfort. Her toiling figure in the background casts rather an ugly shadow upon a pretty and friendly old custom, just as hundreds of similar figures cast their shadows upon our clothes, our ornaments, our amusements—upon who knows how many of the familiar objects that each of us touches every day.

Not very long ago a skirt was shown me that had been made in the home of a London worker for the sum of three halfpence. It is made of a very poor variety of holland or crash, has three or more seams, a hem at the foot, a trimming of curved strapping, together with short straps and ten holland buttons, a band at the waist, two hooks and two eyes. The woman who made it had to provide the machine and, no doubt, the cotton. She says that she

can make such a skirt in two hours, an estimate which seems low. If so, she receives three farthings per hour, less cost of cotton and machine. This particular garment was of course a cheap one, such as would be bought by poor purchasers; but we must not suppose either that cheap goods are always underpaid or that better goods are always paid for at better rates. It not infrequently happens that a woman will earn more when she has cheap articles to make that can be done carelessly at a great pace than when she has more expensive ones, which, though paid for at a higher rate, require more than a proportionate expenditure of time. Especially is this the case with blouses and with men's shirts.

Some people like to believe that such workers as these are poor because they are idle or inefficient or vicious or somehow worthless. In every class there are no doubt some undeserving persons; but my experience of women working in their own homes—which has extended now over many years—leads me to believe that their share of merit is quite unusually high. The majority, in most parts of London, at any rate, are industrious, well conducted, well

meaning, well mannered people, respectable in the truest sense of that much misused word. Their hard lot is emphatically not the punishment of their own wrong-doing. And these women, often in many ways so admirable, are engaged, many of them—and many of the worst paid, too—in making things bought by every reader of these lines. From our share, as buyers, in the oppression of the "sweated" workers not one of us can escape.

We find the case scarcely altered when we come to consider the factory worker, who is often very little better off, sometimes not better off at all, than the home-worker. A girl whom I know works from 8 to 8 five days a week and from 8 to 4 on Saturdays for a weekly wage of *7s. 6d.* I have seen an elaborate blouse of white silk that had many fine tucks and lines of insertion, and that had been made in the factory of a well-known firm. Tenpence was the price paid to the worker, and she can barely make three blouses in two days. The selling price was probably little less than a guinea. By no means all these underpaid workers are unskilled; the tenpenny blouse, for example, demanded considerable skill on the

part of the worker. Nor are the articles that they are making unneeded. On the contrary, hundreds and thousands of blouses are wanted and bought every year, sometimes at quite high prices. The customer is performing an act that ought not to be, and is not intended to be, harmful; yet she is taking part, involuntarily and inevitably, in a transaction by which some other woman has been kept overworked and underfed.

Nor is the suffering of the woman, bad as that is, the worst feature of the case. Wherever parents are very poorly paid, the temptation grows irresistible to set children to work. In all the very poorest trades children are found pressed into the service. Not only do the poverty and the work of the mothers lead to a terrible mortality of infants, but the same causes tend to oppress the childhood of such boys and girls as manage to survive. Abundant evidence exists on this point, not from this country alone, but from every country where underpayment of parents prevails.

Underpayment, indeed, is the root of the whole industrial problem. It is really a more pressing and vital question than that of unem-

ployment. We could succeed in grappling with the really unemployed if we were not embarrassed by the half employed and the inadequately paid. How, then, we ask ourselves, does this underpayment arise, which none of us desire, and which costs the country so dear? The cause is not in the least mysterious. Underpayment is a direct and quite inevitable result of unrestricted competition in the buying and selling of labour. Wherever that unrestricted competition prevails, the ultimate price of any industrial process comes to be the lowest rate at which any worker will consent to perform that process. Whenever all workers are receiving a higher rate, it is because competition has somewhere and somehow been arrested in its course. Trade unions, when they are strong enough, check the extremity of underpayment; custom sometimes checks it; and conscience sometimes does. A well-known London employer recently declared to me that wages might be trusted to find a proper level if all employers endeavoured to pay as little as possible, and all workers tried to get as much as possible. But this gentleman does not act upon his professed theory. He pays the

majority of his workers better than most of his competitors do, and, I believe, pays pensions to them in old age. His conscience, no doubt, would be uncomfortable if he did otherwise. But then he is a man who personally superintends his own business; and in personal relations many of us shrink from carrying out meannesses and oppressions which we could find it in our hearts to do at second hand.

It is from managers, from foremen and forewomen—people who disguise their proceedings (even to themselves, perhaps) under a veil of loyal service to some other person—that oppression in its severest form comes. Unfortunately the development of modern commerce favours the large, jointly-owned, managed type of business, and the number of employers who are in constant touch with their employees diminishes daily. We cannot depend upon the good intentions of a hundred scattered shareholders. Moreover, even an individual employer with the best will in the world is not always—not, indeed, generally—able to resist the pressure of competition. A man like Mr. Cadbury, indeed, with an old-established connection, a world-wide reputation and an accumulation of

capital can do so, if he chooses. He can improve wages and conditions, he can make the life of those who work for him civilised and hopeful, and can show by example, to a world which greatly needs the lesson, that he gains rather than loses, even in a money sense, by such action. But no man, coming fresh into one of the underpaid trades, can, except at extreme risk of bankruptcy, pay much higher wages than his trade rivals. Very early in his commercial career the choice will be presented to him of descending to the current level of wages or of closing his premises.

If employers cannot cure underpayment, can workers do so? Those who are in a position to combine in trade unions can do much in that way. To workers who cannot easily and quickly be replaced, trade unions offer a hope that may be realised by their own will, without outside assistance, and that will not fail them until they begin to fail one another; but for workers whose places can be filled at once by untrained people, the trade union cannot, in our present commercial state, open a way of escape. It is only upon a certain level of payment and of independence that workers become able to give

even the smallest regular contribution, or that they dare to risk loss of employment. Those below that level need helping up to the next stage before they can be ready to combine. Thus the very poorest are shut out from the only means by which the workers, as such, can improve their position.

There remains the third party to the bargain, the buyer. Is it possible for buyers to combine and by concerted action remedy the evils that we all deplore? The attempt has been made. People have tried to combine in leagues, the members of which were pledged to purchase only goods made under fair conditions. The American and French leagues, though extremely useful as a means of industrial education for their active members, seem to have failed in their primary purpose. The complexities of industrial production are so great that every object of sale involves a long chain of inquiries.

Who, then, can intervene? Here are fellow citizens of ours, industrious, useful members of the community, condemned to spend their lives in a manner which would raise an outcry if any slave-holder inflicted it upon his slaves. Here

are we taking the work of their hands, depending upon them for necessaries and for luxuries. In a sense their blood is upon our heads, and we know it. We wish to be freed from that stain, and as individuals we cannot free ourselves. How then can we appease our consciences?

It will probably help us if we consider how other kindred evils have been dealt with, so that we may follow methods that have been effectual, or partially effectual, in similar cases. Payment is not the only department of the worker's life affected by competition; hours of work, too, meal times, general factory conditions of sanitation, air, light, warmth, and so forth are directly affected by competition, and a worker, unless some protection is given, may find himself, or herself, compelled to work for all of his or her waking hours—there are men in this country at this very time who work for sixteen hours out of the twenty-four, and often for thirteen days in every fourteen—and to carry on that work in overcrowded, unventilated, dirty places, exposed to the utmost danger from machinery. From some of these risks all workers and from all of them some workers

are in our country protected, not by their own efforts, nor by the endeavours of their employers, nor by any combination of buyers. The law, the organised will, that is, of the whole community, has stepped in, and has set a bar to competition in dirtiness, unhealthiness, and danger to life or limb. Employers are compelled to fence machinery, to provide sufficient space, to whitewash, to keep up a reasonable temperature, to provide fire escapes where more than a specified number of persons are at work, and in the case of women, to keep the hours of work within a prescribed limit. These regulations have quite undeniably gone far to abolish evils that were formerly rampant, have set a standard of healthiness and decency, and in addition to prolonging the lives and increasing the happiness of many workers, have saved the country from the burden of supporting many crippled persons. Moreover, the trade of the country has by no means been ruined, as some persons expected it to be, under these restrictions; it has, on the contrary, gone on growing under them, and partly because of them. Their effect has been to prevent employers from competing in badness of conditions, and to set them

competing against one another in improvements of method and of management. But while the economic effect of these laws has been great and almost wholly beneficial, the moral effect of them has been perhaps even greater and even more beneficial. They were passed originally upon moral, not upon economic grounds; it was not because long hours and bad conditions of work were thought to be unprofitable, but because they were felt to be hideously cruel and unjust that the British Parliament enacted the first Factory Acts. They were in fact an answer to the cry of the national conscience. In the course of years they have been gradually strengthened and various gaps have been filled up, though there are still points (to be recurred to presently) that need amending.

The country has now advanced to recognition of that other serious consequence of unrestricted competition: excessive underpayment, or as it is roughly called, "sweating." The national conscience is once more crying out, and history is repeating itself, though, as usual, with a difference. The opposition to the proposed regulations is this time curiously

small; the country is far more united in its demand than it formerly was. In the summer of 1906 the facts—or rather some of them—were brought strongly to public attention by means of the Sweated Industries exhibition, initiated by the *Daily News* and held in the Queen's Hall, London. One result of that exhibition was a distinct movement in favour of establishing a legal minimum wage, at least in the worst-paid trades, and, in June 1906, an association was formed, under the name of the Anti-Sweating League, the sole object of which was to promote legislation for this purpose.

The method eventually favoured by the League was that of Wages Boards on the model of those that have existed for some years past in the Colony of Victoria. A Bill on these lines, which had long been annually introduced into the House of Commons, was adopted by the League and is now supported by members of all shades of political opinion. A Select Committee upon Home-work was instructed to consider and report upon the creation of Wages Boards in sweated trades, and has reported upon the subject. The following

brief explanation of the Bill, as read a second time in 1908, comes from the First Annual Report of the Anti-Sweating League.

"The Bill proposes to set up Wages Boards in, to begin with, three typical sweated trades —tailoring, dress-making, and shirtmaking. These are the experimental trades, and the creation of additional boards will depend upon the success achieved in these initial cases. But, as success is anticipated, provision is made for the easy extension of the measure, and, subsequent to its passing, any six match-box makers or button-carders or other sweated workers may ask the Home Secretary to make inquiry into the conditions of their trade, and to set up a Wages Board should inquiry suggest that a Board is desirable. The Boards will give equal representation to employers and employed, and the public interest in a healthy condition of industry will be the special charge of the chairman of the Board, who will be nominated by the Home Secretary or agreed to by the other members of the Board. So constituted, the Board will turn to the consideration of the problems of the trade with which it is dealing, and will fix such wages of time

or piece as seem to it possible and desirable, having regard to the whole circumstances of the case. The rates fixed by the Boards may vary in accordance with the variation of cost of living in different districts, and as between different classes and grades of workers. The enforcement of payment of the minimum rate will be entrusted to factory inspectors; evasion will be punishable by a fine not exceeding £5 for the first offence, and not exceeding £20 for the second offence; and a worker who has been paid less than the prescribed rates may claim to recover arrears of payment within the period fixed by the statute of limitation."

Should the Government Bill promised for 1909 follow these lines and become law, without any great alteration, the experiment will be of extreme value; but certain alterations which might conceivably be made in it would rob the new law of all its possible usefulness and might, indeed, make it an instrument of positive harm. The most dangerous of these would be its application to home-workers only —a result of which the reference to a committee appointed originally to inquire solely into home-work and the clause of report recommending this

limitation and carried by 8 to 6, must naturally make any thoughtful person a little apprehensive.

The circumstance also that the Sweated Industries exhibition dealt only with the products of home-work may have given rise to an idea in the minds of the less instructed members of the public that sweating was connected solely with work done at home. It cannot be too often nor too earnestly declared that this is not the case. Factory workers also are often underpaid, some quite as much underpaid as home-workers. Of this fact the promoters of the *Daily News* exhibition were perfectly well aware; but, since it was not possible to present a comprehensive view of the whole field of sweated industry, and since the display of factory work—generally involving the use of more or less costly machinery and fittings—offered peculiar difficulties, it was decided to confine the exhibition to the one province of home-work. It would be, indeed, a lamentable thing if this decision were to become in any degree responsible for so fatal a step as the enactment of Wages Boards for home-workers only. A minimum wage for home-workers would not raise the wage of home-workers nor

of any other workers. It would merely drive the work now done at home into factories, where the payment given for it would not be necessarily one penny higher. Much hardship would assuredly be produced and in all probability no corresponding benefit at all. The futility of this result would presently be perceived and Wages Boards would be considered to have failed. Another undesirable modification would be the application of the law to women workers only. Such a proposal would be actively opposed by a very large number of women throughout the country and would cause dissatisfaction to a considerable proportion of the workers themselves. It is earnestly to be hoped that the Bill will escape both these pitfalls and at least receive a fair trial.

Underpayment, however, though it is the most important, is not the only industrial point that needs the intervention of law. There are other hardships still pressing upon many workers. Long hours of employment weigh heavily upon some groups of workers not included under the provisions of the Factory Acts. Many men engaged in various branches of traffic—railway workers, omnibus and tram

drivers and conductors, waggoners, &c.—are employed for stretches of time that largely cut them off from family life, and that, considering the strenuous and exhausting nature of modern conditions, make far too heavy a call upon human energy and endurance. The working hours of laundresses (now included under the Acts, but permitted to work for varying periods on different days, the rules allowing of thirteen hours' work as often as three times a week, and of work up to 9 P.M. on Saturdays) need to be put on precisely the same footing as those of other workers. The present irregularities render valid inspection quite impracticable, and make the nominal protection of the law a mere farce. When we inquire into the reasons for the exceptional hours of work allotted to workers in, perhaps, the very heaviest of women's trades, we find little beyond the desire of customers to have their linen collected always on Mondays and returned always on Saturdays—a desire that by no means deserves to be regarded as an immutable law of the trade. A Government which would boldly put the interests of laundry-women above the imaginary requirements of the rest of us

would assuredly find its action speedily justified. Within a year's time we should all be looking back with amazement upon the former chaos and wondering how such a state of things was ever endured. On this matter, however, British governments seem to resemble the timorous man of Scripture and to behold a lion in the path. Waitresses, whose work is trying and fatiguing, are not protected by the Acts, nor are adult shop-assistants, and cases of long hours are common in the employment of both groups. Even the hours allowed by the law to other workers are very long. Tailoresses in the West End of London (not so commonly in the East End) work for the full period permitted, that is from eight to eight five days a week, and from eight to four on Saturdays. Let any reader try a week's sewing, taking out an hour and a half daily for meal-times, on those terms.

Though the work of children has been dealt with ever more and more stringently by our laws, the English child may still go to work during years that ought to be spent in proper preparation for work. To look at this matter from its lowest plane, it is false economy to let

the children of the nation begin industrial work at less than fourteen.

The Truck Acts, too, need amending and strengthening. Like nearly all English legislation they have been partial and tentative, but the time has now been reached when these laws might boldly assert and apply a general principle: the principle that the purchaser of a certain number of hours of labour has no right to dictate the manner in which any part of the purchase-money shall be spent, nor to exercise any sort of jurisdiction over any hours beyond those which he purchases. No contract involving such claims ought to be recognised by the law. See how this would at once cure the hardships of the "living-in" shop-assistant. The shopkeeper who could no longer constrain his assistants to live on his premises would be obliged, if he wished them to do so, to attract them by giving them food and lodging of a superior kind to what they could get at the price elsewhere, and would be obliged to desist at once from all efforts to bring them in at his hours at night or to prevent them from hanging pictures on their walls or leaving their brushes and combs if they pleased on their own

dressing-tables. Most probably, when he was restrained from imposing that military uniformity which tends to cheapness, he would not desire to house his assistants at all, or if he did would see the desirability of giving them some voice in the management. "Living-in," when an employer could no longer make it compulsory, might become quite a pleasant way of living. This same general principle would also make illegal at one blow all those vexatious fines and deductions that now nibble away the nominal wage of so many workers.

Such, then, is the present state of things among the poorer and the more oppressed workers of this country, and such the steps by which their poverty and their oppression may most readily and most quickly be mitigated.

INDEX

INDEX

ABERDEEN, rate of infant mortality in, 108–9
Ammunition-making, 77
Anti-Sweating League, work of the, 198–99
Askwith, Mr., 55
Australia, trade-unionism in, 19
Australia, South, Special Boards of, 46 *note*
Aves, Mr., *cited*, 45 *note*, 49 *note*
Arbitration—
    Board of Trade, 37, 38; the system in Australia, 42

BABY-LINEN work, 77
Bakehouses, health precautions for, 171
Baker, Mr., *quoted*, 93–94
Barmaids, conditions of work, 19–20
Birmingham—
    Rate of infant mortality in, 111; juvenile street trading in, 135; Children's Court in, 138–39
Blouse-making, examples of sweating, 189–90
Board of Trade arbitrations, 37, 38
Bonus system, the, 67–69
Boot Board, the, 47
Box-making, payment for, 36
Boys' Club, Manchester, 141
Boys, wage-earning, 133
Bradford, half-time system in, 128–29
Brass-casting, 172
Brighton, infant mortality in, 112
British Association for the Advancement of Science, Special Committee, 179–81

British Medical Journal, statistics *quoted*, 93
Brushmakers' Board, 47
Burnley, report on health of, *quoted*, 104

CADBURY, Mr., 22, 192–93
Cardboard-box making, 77
Carriage Board of Melbourne, 50
Charities, precarious, evils of, 12
Child-worker, the—
  Evils of work at under-age, 21; pauper apprentices, 28 relation between juvenile delinquency and child employment, 123–25; factory employment, 126–29; the half-timer, 126–32; wage-earning boys, 133; causes of child labour, 190
Children's Bill, the, 1908, 137–40
Children's Courts, the question of, 123, 137–41
Children's Employment Act of 1903, 152
Chinaman, the, 50
Civil Servants, women, organisation among, 75–76
Clerks, girl, 4
Clerks, National Union of, 76
Clothing, ready-made, 77
"Cook-money," 69
Corset-making, 77
Cotton trade, the Lancashire, 16–17
Coventry, infant mortality in, 93, 98
Curgenven, Mr., evidence *quoted*, 94–95

Daily News Sweated Industries Exhibition, 66, 198, 201
Deductions under the Bonus system, 68–69
Derby, infant mortality in, 113
"Determinations," 43–44, 46, 49 *and note*, 50
Dressmakers' Board, Melbourne, 47, 48
Dressmaking—
  Legislation to regulate, 39, 77, 199; sweating in, 70; hours of labour, 71–72
Dundee—
  Rate of infant mortality in, 108–10; hours of employment in, 118
Dunraven, Lord, 4

East End, wages in the, 66, 70
Edinburgh, rate of infant mortality in, 109
Employer—
  Position of the honest, 35–36; the Jewish 69–70
Employment of Children Act, 136

Factories—
  Sweating in, 35, 200–202; regulation of women's labour in, 151, 158; definition of the term "factory," 169 *and note*; hygienic provisions regarding, 170–72; hours of employment in, 173–75
Factory Acts—
  Restrictive provisions, 30; benefits of the, 30–31; number between 1802 and 1907, 156–57; the Act of 1878, 162, 166; the present law, 1901–1907, 166–76; effect of the Factory Law, 177–81
Factory and Workshops Acts, Consolidation Committee evidence *quoted*, 93–94, 96
Factory Employment, Commission on, 126
Factory Inspector, the—
  Duties, 41; report of Chief Inspector of Factories, Victoria, 49, 55; development of the Inspectorate, 151 160–66
Factory Law, development of the, 145–66
Factory Law of Victoria, 50
Fergusson, Sir James, *quoted*, 94
Fines for shop assistants, 5–6
Finsbury, rate of infant mortality in, 114
Foreign competition, effect of Wages Boards on, 56
Foulkes, Mr., evidence *quoted*, 96
France—
  Trade-unionism in, 19; Labour Office investigations, 57
Furniture Board, Melbourne, 50

General Federation of Trade Unions, 78
Germany, the Home-work Bill of, 57
Glasgow—
  Rate of infant mortality in, 108–9; hours of employment in, 118
Gorst, Sir John, 129
Greenhow, Dr., report *quoted*, 96–99

HEALTH and Morals Act, 1802, 154 *and note*
Health visitors, 90
Hogg, Mrs. F. G., work of, 129–32
Home Office—
  Complaints to the, 67; powers of the Home Secretary, 29, 39, 199
Home-work Bill, Germany, 57
Home-work Committee, report of the, 36, 59 *note*, 198–99
Home-worker, disadvantages of the, 34
Hook-and-eye carding, 36
Hours of Labour—
  Limitation of, 29–30, 173–75; excessive, 71–72, 177, 195–96; conclusions of the British Association for the Advancement of Science Special Committee, 181; workers not included under the Factory Acts, 202–5
Howarth, Mr., *West Ham* cited, 33
Hunter, Dr., results of his inquiry *quoted*, 101–2
Hutchins and Harrison, Misses, *History of Factory Legislation*, 157

INFANTILE Mortality—
  Relation between industrial employment or the mother and, 87–91, 93, 97–98; causes of, 89–91, 93–110; comparative mortality of breast- and hand-fed infants, 111–16
Inter-Departmental Committee on the Employment of School Children, 124, 131–33

JACKET-MAKERS, wages of, 33
Jam-packing, 77
Jew, the, as an employer, 69–70
Joint Council of Women Civil Servants, 76
Justices of the Peace, 151, 160–61

LABOUR Office, French, investigations of the, 57
Labour, Royal Commission on, 1892, 165
Lace trade, the Nottingham, 37
Lancashire—
  Industrial conditions, 15–17, 75; infant mortality during the cotton famine, 93; hours of employment, 118; half-time system in, 126–27

Laundries—
Regulation of, 167–69, 171, 175; hours of labour in, 203–4
Lillie Road School, 134
Liverpool, wage-earning children in, 132
"Living-in" system, the, 205–6
London, child-workers in, 129–32
London County Council—
Opening of technical classes for women by the, 64–65; bye-laws regulating the employment of children, 132, 136
London Trades Council, resolution of the, 64–65
Lords, House of, Committee, 1899, 32, 34
Lyttelton, Mrs. Alf., *Warp and Woof*, 71–72

MACHINERY, precautions for safety, 171–72
Majolica-painting, 173
Manchester, street-trading in, 135
Match-box making, 10
Melbourne—
Factory legislation in, 43; Special Boards Legislature in 46 *and note*
Millinery, wages, 48
Mines regulation, 151, 158
Mother, the—
Law relating to, 90–91; influence of her occupation on the infant's life, 87–91, 93–110; incompatibility of breast-feeding and factory employment, 117–19

NATIONAL Association of Shorthand Writers and Typists, 76
National Association of Telephone Operators, 76
National Federation of Women Workers, 77, 78
National Union of Clerks, 76
National Union of Shop Assistants, 76
New South Wales, arbitration system of, 42
New Zealand, arbitration system of, 42
Newcastle-on-Tyne, need for a Children's Court, 139
Nottingham—
Lace trade of, 37; infant mortality in, 98

OUTWORK, control of, 152, 159
Overcoats, wages for, 34–35

Overtime, law regulating, 174–75
Owen, Robert, 157

Paisley, rate of infant mortality in, 108
Paper-bag making, 77
Paris, siege of, infant mortality during, 93
Parish apprentices, 28
Peel, Sir Robert, *quoted*, 30
Physical Deterioration, Inter-Departmental Committee on, 88
Poisoning, industrial, 173
Poor Law, the Elizabethan, 14
Poor Law Authorities, pauper apprentices, 28
Pottery Trade Board, 47
Pratt, Mr., 134
Preston, health report *quoted*, 102–3
Privy Council, reports of medical officer *quoted*, 96–100
Probation Act, the, 140
Protection of Infant Life, Select Committee on, evidence *quoted*, 94–95
Public Health Act, 171
Public Health Authorities, transfer of control to, 167

Queen's Hall Exhibition, 66, 198, 201

Redgrave, Mr., report *quoted*, 93–94
Reid, Dr., report *quoted*, 104–8

St. Pancras, rate of infant mortal ty in, 114–16
Salford, rate of infant mortality in, 111
Sanitary Commissioners, 151, 162
Sanitation in factories, 151, 158–59
Secretary of State, his powers, 168
Sheffield, 73
Shirt Board, Melbourne, 47, 48
Shirt-making—
  Wages for, 33–34, 36, 47, 66; legislation to regulate, 39, 77, 199
Shop assistants—
  Conditions of work, 5, 19–20; National Union of Shop Assistants, 6, 76; the system of living-in, 205-6

Shorthand Writers and Typists, National Association of, 76
Silk-weaving, 77
Simon, Sir J.—
English Sanitary Institutions quoted, 99; reports of, *quoted*, 100–2
Skirt-making, an example of sweating, 187–89
Soap-making, an example of sweating, 70–71
Special Boards Legislature of Victoria, 42–51
Staffordshire, report of medical officer *quoted*, 104–5
Stockport, infant mortality in, 113
Street-trading for children—
Evil effects of, 124–25, 134–41; its relation to juvenile delinquency, 134–41
Strikes and Trade Unions, relation between them, 79–80
Surgeons, Certifying, 151, 162
Sweated Industries Bill, 38–39, 59 *note*, 199–202
Sweated Industries Exhibition, 66, 197–99, 201
Sweating—
Meaning of the term, 4; not confined to the home-worker, 34–35; effect of Wages Boards, Mr. Aves *cited*, 45 *note*, 49 *note*; sweating in Melbourne, 46; in the West End, 70; an example in the soap trade, 70–71; in skirt-making, 187–89; in blouse-making, 189–90
Sweet-packing, 77

TAILORING—
Wages for, 33; legislation to regulate, 39, 199
Tea-packing, 77
Telephone Operators, National Association of, 75–76
Thomas, Dr., investigations, 133
Toynbee, Arnold, *quoted*, 148
Trade Unions—
Control of wages, 17; attempted exclusion of women, 64–65; functions of, 81–83
Trade Union Congress, the, 67, 73
Trades, dangerous, special rules regulating, 31, 152, 167, 168
Trades, dying, 10, 54
Trousers, wages for, 34, 47
Truck Acts—
Particulars Section of the, 29; need for revision, 205
Tuckwell Miss, *cited*, 31

UNDERCLOTHING Board, Melbourne, 46, 47, 48

VICTORIA, Colony of—
Wages Boards of, 42–51, 198; Factory Law of, 50
Visitors, appointment of, 151, 161–62

WAGE-EARNING Children, Committee on, 131–32
Wages—
Control by the Trade Union, 17; necessity for the minimum wage, 27–37; consequences of under-payment, 31–33; examples of reduction in, 33–37; the question in the Colonies, 42; objections to the minimum wage, 55; the average wage for a woman, 66; the Bonus system, 67–69; law relating to particulars, 175–76; complaints regarding, 177; conclusions of the British Association for the Advancement of Science Special Commission 181; causes of under-payment, 190-94
Wages Boards—
Reason of the plea for, 18; proposed under the Sweated Industries Bill, 38–40, 198–202; minimum *rates* to be fixed by, 40–42; principle on which the Board will be established, 42; the system in Victoria, 42–50, 198; disadvantages of, 50–59; advantages of, 75
Waistcoat-making, 33
Waitresses, conditions of work, 19–20
Wandsworth Prison, report of the chaplain, *quoted*, 124–25
Webb, Mr. Sidney, *cited*, 20, 63
Webb, Mrs. Sidney, 20
White-lead manufacture, 173
Wilson, Miss, *West Ham* cited, 33
Women workers—
Industrial conditions in Lancashire, 16–17; evil of work during pregnancy, 21; wages in Melbourne, 47, 49; their competition with men, 63–65; necessity for organisation, 65–72; difficulties of organisation, 72–76; amount accomplished, 73, 76–79; strikes, 79–81; relation between infant mortality and industrial employment of the mother, 87–91; health regulations for, 172–76
Women Inspectors, 115; appointment of, 152; the demand for, 163–64

Women Voluntary Visitors, 115
Women's Industrial Council, 129
Women's Trade Union League—
Cited, 65, 67 ; method of organisation, 77–81 ; functions of a trade union, 81–83
Workmen's Compensation Act, 81–82
Workshop—
Definition of the term, 169 *and note;* hygienic provisions regarding, 170–72

YORKSHIRE, half-time system in, 126–27

Printed by BALLANTYNE & Co. LIMITED
Tavistock Street, Covent Garden, London

Made in Italy
Radcliffe College Library
Women in Machines
8 032919 990075